



# United States Department of the Interior

BUREAU OF RECLAMATION  
Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470

IN REPLY REFER TO:

LC-4212  
WTR-4.03

**DEC 29 2015**

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. Theodore C. Cooke  
Interim General Manager  
Central Arizona Water Conservation District  
P.O. Box 43020  
Phoenix, AZ 85080-3020

Subject: Approval of Calendar Year 2016 Colorado River Diversion for the Central Arizona Water Conservation District (District)

Dear Mr. Cooke:

In accordance with Title 43, Code of Federal Regulations Part 417 (Part 417), this letter provides the District with notice of my determination regarding the District's proposed diversion and beneficial use of Colorado River water for calendar year 2016.

By letter dated September 15, 2015, the District submitted a request to divert up to 1.5 million acre-feet (AF) in calendar year 2016. As noted in the District's letter, "As a preliminary estimate for 2016, CAP intends to conserve no less than 103,000 acre-feet as part of the MOU commitment", referring to the 2014 Memorandum of Understanding for Pilot Drought Response Actions (MOU).

Under Contract No. 14-06-W-245, as amended and supplemented, the District is entitled to divert the balance of Arizona's 2.8 million AF basic apportionment not consumed by higher priority Arizona entitlement holders. Of Arizona's Colorado River basic apportionment of 2.8 million AF, it is anticipated that 1,460,723 AF will be available for diversion by the District in 2016. Based upon this estimate, a review of the calendar year 2016 diversion estimate provided by the District, and the information gathered during the Bureau of Reclamation's annual Part 417 consultation process, I approve the diversion of up to 1,460,723 AF of Colorado River water during calendar year 2016 for use in the District's service area. As in recent years, I also approve the diversion by the District in calendar year 2016 of the unused Arizona adjusted apportionment of Colorado River water as reflected on Reclamation's website to the extent such water becomes available.

This approval incorporates the District's preliminary estimate to conserve no less than 103,000 AF as part of the District's commitment under the MOU. Pursuant to Section III.D of the MOU, Reclamation will work with the District and the other MOU participants to identify and track achievement of Protection Volume goals.

This approval is subject to the following conditions:

- (1) The data on Reclamation's website are provisional until final records are issued. Any diversions made as a result of the values on the website are at the District's own risk.
- (2) All available Colorado River water within Arizona has been approved for beneficial use within the state. In cases where approvals to higher priority entitlement holders are less than their Colorado River entitlements, the approvals may be increased to their full entitlements.
- (3) Final accounting records published by Reclamation may differ from the provisional data on the website. Adjustments to the final records may result in an inadvertent overrun by the District.
- (4) The District will be required to pay back any overrun according to the Inadvertent Overrun and Payback Policy.
- (5) Reclamation may at any time rescind this approval to divert unused Arizona apportionment of Colorado River water.

Reclamation notes that, in accordance with the Drought Response Agreement (DRA) between Reclamation and the Fort McDowell Yavapai Nation (Nation) (DRA No. 15-XX-30-W0598), the Nation will forego delivery of 13,933 AF of its Central Arizona Project water entitlement in 2016 to assist Reclamation in meeting its commitment under the MOU. Per the terms of Letter Agreement No. 15-XX-30-W0599 between Reclamation and the District dated October 6, 2015, the District will amend its 2016 Colorado River water order with Reclamation and not request delivery of the 13,933 AF of water, allowing such volume to be retained in Lake Mead for the benefit of system storage.

Additionally, Reclamation notes the pending System Conservation Implementation Agreement (SCIA) between Reclamation and the District under the Pilot System Conservation Program. Upon execution of the SCIA, the District will be required to submit a revised diversion estimate to incorporate the anticipated conservation volume for calendar year 2016.

Reclamation will monitor and project diversions and consumptive use of Colorado River water during calendar year 2016 in an effort to ensure each entitlement holder's annual approval amount is not exceeded. Beginning in January 2016, these projections will be available to water users on a daily basis on Reclamation's website: [www.usbr.gov/lc/region/g4000/hourly/forecast16.pdf](http://www.usbr.gov/lc/region/g4000/hourly/forecast16.pdf). It is expected that entitlement holders within the state of Arizona will use this information to adjust diversions to remain within approved annual quantities or, as appropriate, seek modification of the approval.

Thank you for submitting the District's diversion estimate for 2016. If you have questions, please contact Mr. Paul Matuska, Water Accounting and Verification Group Manager, at 702-293-8164 or [pmatuska@usbr.gov](mailto:pmatuska@usbr.gov).

Sincerely,



Terrance J. Fulp, Ph.D.  
Regional Director

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