



# IID

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September 15, 2015

Dr. Terry Fulp, Regional Director  
Bureau of Reclamation  
Lower Colorado Regional Office  
Attention LC00-4200  
P.O. Box 61470  
Boulder City, NV 89006-1470

Dear Terry:

Subject: IID Estimates of Diversion – Colorado River 2016

This letter responds to the Bureau of Reclamation's request to the Imperial Irrigation District for an estimate of IID's 2016 expected water use. This estimate constitutes IID's water order for 2016 and utilizes the *Accounting Methodology for IID Canal Losses Key Terms of Agreement* dated October 3, 2007 between IID and Reclamation. Should there be any changes to this methodology, it may or may not require further revision to the 2016 water order.

This water order should be considered by Reclamation in the context of the signed Quantification Settlement Agreement and the reservation of legal positions contained in the dismissal of IID v. USA, et al. As historically recognized by Reclamation and the position of many other Colorado River contractors, water orders submitted in advance of the water year are merely estimates of anticipated water use that may need adjustment based on a variety of variables that impact water use during the course of a year. No Colorado River contractor can predict exactly what it will need the following year; it can only make an educated guess. Thus, water orders may require subsequent revision and should not be perceived as a volume limitation on the annual exercise of the water right. Similarly, the exact volume and proposed uses of conserved water cannot be determined or accurately predicted in advance of any water conservation program's startup and final contracting. The final calculation of actual conserved water yields are dependent on year-end crop water use, rainfall, and delivery records that are not available prior to the conclusion of the current calendar year. Contracting parameters and conserved water requirements for 2016 are also dependent on Reclamation's or third-party measurement, reporting, and calculation of IID's diversions, return flow credits, and consumptive uses for the current and previous water years. The accuracy and timeliness of these final measurement and Decree Accounting records are a significant factor in IID's estimates, such that they may require subsequent revision and should not be considered a volume limitation for purposes of IID's annual consumptive use or diversion calculation.

Also significant, for purposes of the 2016 estimate, there is some degree of uncertainty surrounding the QSA and implementation of the various agreements, transfers and environmental mitigation programs related to the QSA, although likely less than that expressed in previous IID water orders. After years of litigation over the QSA, IID reached settlement with opposing parties in two parts, by agreement with POWER, Cuatro Del Mar and the Barioni parties on September 3, 2014 and by agreement with the Imperial County and Imperial County Air Pollution Control District on February 3, 2015. However, on November 18, 2014, IID filed with the California State Water Resources Control Board a Petition for Modification of the Water Rights Order 2002-0013 to add a condition requiring the State to fulfill its obligation to restore the Salton Sea. That petition is pending before the SWRCB.

Thus, for IID water conservation projects and mitigation water creation programs that rely on contracts with farmers, which generally utilize a July 1 to June 30 contract year consistent with most farm plans and leases, 2016 again poses some contracting difficulty and risk to IID for pending and new contracts involving calendar years 2016 and beyond. While the QSA-related uncertainty caused by the litigation is not nearly as significant as in prior years, some concerns do still exist. In particular, IID is increasingly concerned about the lack of progress on Salton Sea restoration commitments from the state of California as the end of the 15-year mitigation water requirement winds down in 2017. This uncertainty puts in peril the long-term viability of the QSA. IID has developed a Salton Sea Restoration and Renewable Energy Initiative that could provide the impetus to implement a smaller but sustainable Salton Sea restoration project to address these concerns, and it is hopeful that Reclamation will become an advocate for this or similar efforts that support the QSA.

Thus, IID submits this water order without limiting IID's 2016 water rights. However, IID acknowledges that the QSA itself, assuming its continued viability, provides an annual volume limitation. Pursuant to that agreement, IID quantified its Priority 3 consumptive use at a maximum of 3.1 million acre-feet per year during the term of the QSA. IID anticipates (but does not limit itself except by the terms of the QSA) a consumptive use need of 2,619,800 to 2,644,800 acre-feet for 2016. This range of estimates is intended to address the consumptive use needs for IID in 2016 assuming a bookend of circumstances regarding the level of contracting for upcoming fallowing and conservation programs identified in IID's proposed Intentionally Created Surplus Plan. Pursuant to the QSA, and assuming implementation of the QSA as agreed to by all other parties without material changes or failure, IID's initial water order estimate for 2016 is as follows:

<b>IID 2016 Estimated Consumptive Use<sup>1</sup> Table in Acre-Feet (September 15, 2015)</b>	
Priority 3 Cap	3,100,000
Miscellaneous PPR's	(11,500)
1988 IID/MWD Conservation & Transfer	(105,000)
IID/SDCWA Conservation & Transfer	(100,000)
Salton Sea Mitigation Delivery Requirement	(130,000)
AAC Lining Project Conservation & Transfer	(67,700)
IID/CVWD Conservation & Transfer	(41,000)
Estimate of Additional Conserved Water <sup>2,3,4,5</sup>	(0-25,000)
<b>Total IID 2016 Consumptive Use<sup>1</sup> Estimate Range<sup>6</sup></b>	<b>2,619,800-2,644,800</b>

<b>IID 2016 Estimated River Consumptive Use<sup>1</sup> Table in Acre-Feet</b>	
Total IID 2016 Consumptive Use <sup>1</sup> Estimate Range <sup>6</sup>	2,619,800-2,644,800
2016 Estimated Consumptive Use <sup>1</sup> met by LCWSP <sup>7</sup>	(7,400)
<b>Total IID 2016 Consumptive Use<sup>1</sup> Estimate Range<sup>6</sup> at River<sup>7</sup></b>	<b>2,612,400-2,637,400</b>

This 2,612,400 to 2,637,400 acre-feet of consumptive use at Imperial Dam (net of return flows) will require a larger volume diversion from the Colorado River in 2016. Any changes to the actual 2016 LCWSP pumping will, of necessity, result in changes to IID's actual Colorado River diversion and the associated return flow credit estimate, while the use of any in-lieu flows from the Warren H. Brock Reservoir in 2016 will require reductions to IID's actual Colorado River diversions and consumptive use accounting volumes at Imperial Dam. This annual water order estimate is based upon average conditions for rainfall, salinity and likely 2016 cropping patterns, including multiple cropped acreage and normal economic conditions in crop markets. Actual diversions in 2016 will, of necessity, reflect changed circumstances as they evolve including the final contracting of any 2016 following programs, the truing-up of all IID following and other conservation program yields at year-end, developments in the QSA litigation or SWRCB Petition process, drought contingency planning efforts for both the Colorado River and

<sup>1</sup> Consumptive uses include uses for agricultural, municipal, industrial, environmental, environmental mitigation and storage purposes.  
<sup>2</sup> Additional conserved water uses include Intentionally Created Surplus (ICS), inadvertent overrun payback (IOP), early IOP payback on behalf of another Colorado River contractor, groundwater storage, groundwater recharge, storage in the Salton Sea, delivery of ICS to meet water transfer obligations, and/or other allowed uses of conserved water.  
<sup>3</sup> The truing up of all 2015 and 2016 following and main canal seepage interception program yields after year-end may require an adjustment to this volume.  
<sup>4</sup> Final contracting of IID's 2015-2016, 2016, and 2016-2017 following programs and a true-up of all 2016 IID following and other conservation program yields at year-end may require an adjustment to this volume.  
<sup>5</sup> Pursuant to Section 3.B.9 of the Interim Guidelines for the Operation of Lake Powell and Lake Mead, IID's estimated volume of ICS water may decrease in 2016 with the appropriate notifications.  
<sup>6</sup> This range of estimates is intended to address the consumptive use needs for IID in 2016 assuming a bookend of circumstances regarding the level of contracting for upcoming following and conservation programs identified in IID's proposed Intentionally Created Surplus plan and water conservation and transfer agreements.  
<sup>7</sup> 2016 order not yet received from LCWSP contractors. Reclamation's Yuma Area office has estimated the maximum project yield for 2016 at 7,400 acre-feet. Actual pumped volumes and projections should be updated by Reclamation throughout 2016.

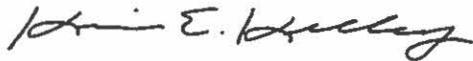
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California and additional water storage or delivery requests not yet authorized by the IID Board of Directors for 2016.

Finally, attached to this water order is a monthly breakdown of IID's estimated 2016 water order intended for use by Reclamation's operational staff. These consumptive use estimates are prorated using a historical use monthly proration methodology and are subject to change based on actual water demands and conditions in 2016. Questions regarding operational data should be referred to IID's watermaster, Merlon Kidwell, at (760) 339-9074 or [mlkidwell@iid.com](mailto:mlkidwell@iid.com).

If you have any questions regarding these issues, please contact, IID's Colorado River Resources Manager, Tina Shields, at (760) 339-9038 or [tlshields@iid.com](mailto:tlshields@iid.com).

Sincerely,



Kevin E. Kelley  
General Manager

Enclosure

cc: Michael A. Pacheco, Water Manager, IID  
Merlon Kidwell, Watermaster, IID  
Tina Shields, Colorado River Resources Manager, IID  
Autumn Plourd, Engineer, IID  
Paul Matuska, Manager, Water Conservation and Accounting Group, USBR  
Tanya Trujillo, Executive Director, CRB

**IID 2016 Estimated Monthly Consumptive Use Table  
(September 15, 2015)**

	<b>Historical Proration</b>	<b>Estimated Consumptive Use Range (acre-feet)</b>	
<b>January</b>	4.87%	127,508	128,725
<b>February</b>	5.87%	153,663	155,129
<b>March</b>	9.82%	257,182	259,636
<b>April</b>	11.27%	295,257	298,075
<b>May</b>	11.79%	308,999	311,948
<b>June</b>	11.01%	288,329	291,081
<b>July</b>	10.93%	286,460	289,193
<b>August</b>	8.40%	220,051	222,151
<b>September</b>	7.74%	202,778	204,713
<b>October</b>	8.25%	216,233	218,297
<b>November</b>	6.03%	157,850	159,357
<b>December</b>	4.03%	105,490	106,496
<b>2016 Total</b>	<b>100.00%</b>	<b>2,619,800</b>	<b>2,644,800</b>

**IID 2016 Estimated Monthly Salton Sea Delivery Range Table  
(September 15, 2015)**

	<b>Estimated Salton Sea Mitigation Delivery Range (acre-feet)</b>
<b>January</b>	10,000
<b>February</b>	10,000
<b>March</b>	9,000
<b>April</b>	9,000
<b>May</b>	8,000
<b>June</b>	8,000
<b>July</b>	9,000
<b>August</b>	10,000
<b>September</b>	15,000
<b>October</b>	15,000
<b>November</b>	15,000
<b>December</b>	12,000
<b>2016 Total</b>	<b>130,000</b>