



United States Department of the Interior

BUREAU OF RECLAMATION
P.O. Box 61470
Boulder City, NV 89006-1470



IN REPLY REFER TO:

LCB-4225

2.2.4.23

VIA ELECTRONIC MAIL ONLY

Nick Bahr
General Manager
Bard Water District
1473 Ross Road
Winterhaven, CA 92283

Subject: Approval of Calendar Year (CY) 2023 Colorado River Water Diversion – Bard Water District (BWD)

Dear Nick Bahr:

The Bureau of Reclamation received BWD's CY 2023 Colorado River water diversion estimate in which BWD requests approval to divert up to 51,500 acre-feet (AF) in CY 2023. In accordance with Title 43, Code of Federal Regulations Part 417 (Part 417), this letter provides BWD with notice of my determination regarding BWD's proposed diversion and beneficial use of Colorado River water for CY 2023.

Water rights for lands within BWD are based on water right certificates that provide for delivery of the quantity of water which can be beneficially used for irrigation of individual lands covered by the separate water right certificates.

On August 16, 2022, Reclamation released its Colorado River Basin August 2022 24-Month Study, which projects Lake Mead's January 1, 2023, operating determination elevation to be 1,047.61 feet.¹ In its letter dated September 14, 2022, Reclamation announced that, in accordance with the 2007 Interim Guidelines,² Lake Mead and the lower Colorado River will operate in a Tier 2 Shortage Condition in CY 2023.³ In addition, the 2019 *Lower Basin Drought Contingency Plan Agreement* will also govern the operation of Lake Mead for CY 2023. The CY 2023 lower Colorado River Shortage Condition will not reduce the volume of Colorado River water available

¹ The CY 2023 operating determination elevation of 1,047.61 feet was calculated by taking Lake Mead's projected end of CY 2022 physical elevation of 1,040.78 feet, as reported in the August 2022 24-Month Study, and adding 480,000 AF of water held back in Lake Powell to Lake Mead's capacity to maintain operational neutrality. Additional information is available at: <https://www.usbr.gov/lc/region/g4000/24mo/>.

² Referring to *Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead* dated December 13, 2007.

³ The projected operation determination elevation of 1,047.61 feet is within the Drought Contingency Plan elevation band of 1,045 and 1,050 feet and reflects what is commonly referred to a "Tier 2a" Shortage Condition.


to the state of California in CY 2023. Additionally, no Drought Contingency Plan Contributions are required by California in CY 2023.

Based upon the Shortage Condition determination, a review of the CY 2023 diversion estimate provided by BWD, and the information gathered during Reclamation's Part 417 consultation, I approve the diversion of up to 51,500 AF of Colorado River water during CY 2023 for use in BWD's service area. This approved diversion results in an estimated consumptive use of 25,058 AF.

Reclamation would like to highlight that, in accordance with the *Inadvertent Overrun and Payback Policy*,⁴ **accumulations of inadvertent overruns are not permitted in CY 2023 and are suspended as long as a Shortage Condition is in effect.** To assist entitlement holders in monitoring their Colorado River water use to ensure they remain within available quantities, Reclamation will project CY 2023 diversions and consumptive use of Colorado River water during CY 2023 and will make these projections available daily on Reclamation's website⁵ beginning in January 2023. Reclamation encourages Colorado River water entitlement holders to use the projections to adjust diversions to remain within their Reclamation-approved annual Colorado River water order.

Thank you for submitting BWD's diversion estimate for CY 2023. Should you have questions, please contact Jeremy Dodds, Water Accounting and Verification Group Manager, at (702) 293-8164 or jdodds@usbr.gov. Individuals in the United States, who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunication relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

Sincerely,

**JACKLYNN
GOULD**  Digitally signed by
JACKLYNN GOULD
Date: 2022.12.13
14:28:58 -08'00'

Jacklynn L. Gould, P.E.
Regional Director

cc: Christopher S. Harris
Executive Director
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⁴ Available at: <https://www.usbr.gov/lc/region/g4000/IOPP.pdf>.

⁵ Available at: <https://www.usbr.gov/lc/region/g4000/hourly/forecast.pdf>.

cc: Continued from previous page.

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