



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

Rick Daniels
City Manager
City of Needles
817 Third Street
Needles, CA 92363

Subject: Approval of Calendar Year (CY) 2023 Colorado River Water Diversion – City of
Needles (City)

Dear Rick Daniels:

The Bureau of Reclamation has received the City's CY 2023 Colorado River water diversion estimate in which the City requests approval to divert up to 2,261 acre-feet (AF) in CY 2023. In accordance with Title 43, Code of Federal Regulations Part 417 (Part 417), this letter provides the City with notice of my determination regarding the City's proposed diversion and beneficial use of Colorado River water for CY 2023.

Pursuant to Contract No. 05-XX-30-W0445, as amended, the City has Present Perfected Right (PPR) No. 43, which allows the City to divert up to 1,500 AF or consumptively use up to 950 AF of Colorado River water per year, whichever is less. Pursuant to the same contract, the City also has PPR No. 44, which allows it to divert up to 1,260 AF or consumptively use up to 273 AF per year, whichever is less. The combined annual diversion limit for these two PPR entitlements is 2,760 AF with a combined consumptive use limit of 1,223 AF.

Under Contract No. 2-07-30-W0280, as amended, the City is also entitled to water for domestic use as part of the Lower Colorado Water Supply Project (LCWSP). The City's LCWSP contract supplements its PPR entitlements. The LCWSP provides, through exchange, a non-Colorado River water supply for domestic, municipal, industrial, and recreation needs for Colorado River water users in the state of California.

The City's CY 2023 diversion estimate of 2,261 AF incorporates System Conservation Water, which will remain in Lake Mead for the benefit of system storage, conserved from the City's completed turf removal project at the Rivers Edge Golf Course pursuant to System Conservation Implementation Agreement No. 15-XX-30-W0596 (SCIA). During CY 2023, this project will conserve, on a consumptive use basis, an estimated 145 AF of System Conservation Water.

In accordance with Section 4.4 of the SCIA, the amount of water available to the City in CY 2023 from its PPR entitlements is limited to 1,078 AF (1,223 AF less 145 AF of anticipated System Conservation Water to remain in Lake Mead). Further, the provisions found in Section 4.4 of the SCIA specify the amount of water available to the City through the LCWSP in CY 2023 will be limited to 527 AF.¹

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.² In its letter dated September 14, 2022, Reclamation announced that, in accordance with the 2007 Interim Guidelines,³ Lake Mead and the lower Colorado River will operate in a Tier 2 Shortage Condition in CY 2023.⁴ 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 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 the City, and the information gathered during Reclamation's Part 417 consultation, I approve the diversion of up to 2,261 AF of Colorado River water during CY 2023 for use in the City's service area. This approved diversion results in an estimated consumptive use of 1,605 AF, of which not more than 1,078 AF may be supplied from the City's PPR entitlements, and not more than 527 AF may be supplied by the LCWSP.

Reclamation would like to highlight that, in accordance with the *Inadvertent Overrun and Payback Policy*,⁵ **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 website⁶ 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 the City's diversion estimate for CY 2023. Should you have questions, please contact Jeremy Dodds, Water Accounting and Verification Group Manager, at

¹This amount may be adjusted for climate conditions and population growth, and any other factors beyond the City's control.

² 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/>.

³ Referring to *Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead* dated December 13, 2007.

⁴ 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.

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

⁶ Available at: <https://www.usbr.gov/lc/region/g4000/hourly/forecast.pdf>.

(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
10:57:59 -08'00'

Jacklynn L. Gould, P.E.
Regional Director

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