



United States Department of the Interior



BUREAU OF RECLAMATION
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Boulder City, NV 89006-1470

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VIA ELECTRONIC MAIL ONLY

Charles B. Sherrill Jr.
Chairperson
Mohave Valley Irrigation and Drainage District
1460 East Commercial Street
Mohave Valley, AZ 86440

Subject: Approval of Calendar Year (CY) 2024 Colorado River Water Diversion – Mohave Valley Irrigation and Drainage District (MVIDD)

Dear Mr. Sherrill:

The Bureau of Reclamation received MVIDD's CY 2024 Colorado River water diversion estimate in which MVIDD requests approval to divert up to 22,716 acre-feet (AF) in CY 2024. In accordance with Title 43, Code of Federal Regulations Part 417 (Part 417), this letter provides MVIDD with notice of my determination regarding MVIDD's proposed diversion and beneficial use of Colorado River water for CY 2024.

Pursuant to Contract No. 14-06-W-204, as amended, MVIDD is entitled to divert up to 41,000 AF per year of Colorado River water for use in MVIDD's contract service area including those lands having a Present Perfected Right (PPR) to Colorado River water. Additionally, pursuant to a subcontract with the Mohave County Water Authority (MCWA), MVIDD is entitled to divert up to 1,250 AF per year of Arizona fourth priority Colorado River water.

On August 16, 2023, MVIDD and Reclamation executed System Conservation Implementation Agreement No. 23-XX-30-W0770 (SCIA),¹ in which MVIDD agreed to forego irrigation water deliveries and fallow acres of irrigated farmland to create System Conservation Water. In accordance with Section 5.7.1 and Section 5.7.5 of the SCIA, MVIDD's Colorado River water order incorporates a diversion of up to 12,953 AF in CY 2024 for agricultural irrigation, which is the maximum volume of water MVIDD may divert in CY 2024 for such purpose (Agricultural Diversion Limitation) pursuant to the SCIA and MVIDD's *Plan for the Creation of Colorado River Lower Basin System Conservation Water During Calendar Year 2024*.

¹ Referring to the *System Conservation Implementation Agreement (SCIA) Between the United States Bureau of Reclamation and the Mohave Valley Irrigation and Drainage District to Implement the Lower Colorado Conservation and Efficiency Program (LC Conservation Program)*.

On August 15, 2023, Reclamation released its Colorado River Basin August 2023 24-Month Study,² which projects Lake Mead’s most probable elevation on January 1, 2024 to be 1,065.27 feet. In its letter dated August 24, 2023, Reclamation announced that, in accordance with the 2007 Interim Guidelines,³ Lake Mead and the lower Colorado River will operate in a Tier 1 Shortage Condition in CY 2024. In addition, the 2019 *Lower Basin Drought Contingency Plan Agreement* (LB DCP Agreement) will also govern the operation of Lake Mead for CY 2024. In accordance with Section XI.G.2.D.1.a of the 2007 Interim Guidelines, 2.48 million AF is apportioned for consumptive use in the state of Arizona in CY 2024 (a reduction of 320,000 AF from its 2.8 million AF basic apportionment). Additionally, in accordance with Section III.B.1.a of Exhibit 1 to the LB DCP Agreement,⁴ the state of Arizona will be required to make DCP Contributions in the total amount of 192,000 AF in CY 2024.

Consistent with the Arizona mainstream Colorado River water priority system, there are no reductions to the water supply available to first, second and third priority entitlement holders for CY 2024. As noted in Reclamation’s August 24th letter, the Arizona fourth priority Colorado River water available supply for CY 2024 is 1,149,934 AF on a consumptive use basis. Of this amount, 113,927 AF,⁵ on a diversion basis, is available for distribution among mainstream fourth priority entitlement holders for use in CY 2024 in accordance with the state of Arizona’s August 6, 2009, Arizona Shortage Sharing Recommendation⁶ and the “pool” approach described by letter dated January 25, 2021.⁷ Reclamation has determined that the available Arizona mainstream fourth priority water supply is sufficient to satisfy all initial on-river mainstream water orders for CY 2024. However, given the limited available supply, requests for modifications to increase approved water order amounts will be evaluated on a case-by-case basis to ensure approved volumes do not collectively exceed the 113,927 AF of available supply. Arizona fifth priority and/or sixth priority entitlements will not be available for diversion in CY 2024.

Based upon the Shortage Condition determination, a review of the CY 2024 diversion estimate provided by MVIDD, and the information gathered during Reclamation’s Part 417 consultation, I approve the diversion of up to 22,716⁸ of Colorado River water during CY 2024 for use in MVIDD’s service area, including those lands having the PPR. This approved diversion results in an estimated consumptive use of 12,267 AF.

² 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 Referring to *Lower Basin Drought Contingency Operations*. Available at:

<https://www.usbr.gov/lc/region/g4000/dcpdocs/Attachment-B-Exhibit-1-LB-Drought-Operations.pdf>.

⁵ The mainstream pool will receive 9.91% of the Arizona fourth priority Colorado River water available for CY 2024, calculated as 164,652 AF divided by the difference between Arizona’s 2,800,000 AF basic apportionment and the average historical consumptive use by Arizona first, second, and third priority users (1,149,934 AF). The average historical consumptive use by Arizona first, second, and third priority users is based on the four highest years of consumptive use during the five-year period from 2018-2022.

⁶ Available at: https://new.azwater.gov/sites/default/files/8-6-2009_ADWR_Shortage_%20ecommendation.pdf

⁷ Available at: https://new.azwater.gov/sites/default/files/01.25.21_ADWR_CAWCD_shortage_recommendationLetter.pdf.

⁸ This approved diversion amount includes up to 21,466 AF under MVIDD’s Contract No. 14-06-W-204 and up to 1,250 AF under MVIDD’s subcontract with MCWA.

Reclamation would like to highlight that, in accordance with the *Inadvertent Overrun and Payback Policy*,⁹ **accumulations of inadvertent overruns are not permitted in CY 2024 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 2024 diversions and consumptive use of Colorado River water during CY 2024 and will make these projections available daily on Reclamation's website¹⁰ beginning in January 2024. 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 MVIDD's diversion estimate for CY 2024. 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.

Sincerely,

**JACKLYNN
GOULD** Digitally signed by
JACKLYNN GOULD
Date: 2023.12.26
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Jacklynn L. Gould, P.E.
Regional Director

cc: Christopher S. Harris
Executive Director
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, CA 91203

Thomas Buschatzke
Director
Arizona Department of Water Resources
1802 W. Jackson Street, Box 79
Phoenix, AZ 85067-6020

Eric P. Witkoski
Executive Director
Colorado River Commission of Nevada
555 East Washington Avenue, Suite 3100
Las Vegas, NV 89101

John Entsminger
General Manager
Southern Nevada Water Authority
1001 South Valley View Boulevard, MS 480
Las Vegas, NV 89153

Kerri Hatz
General Manager
Mohave Valley Irrigation and
Drainage District
1460 Commercial Street
Mohave Valley, AZ 86440

Cal Sheehy
Chairperson
Mohave County Water Authority
2535 Sundown Circle
Bullhead City, AZ 86442

⁹ Available at: <https://www.usbr.gov/lc/region/g4000/IOPP.pdf>.

¹⁰ Available at: <https://www.usbr.gov/lc/region/g4000/hourly/forecast.pdf>.

