



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

Bruce Gardner
Manager
Town of Queen Creek
22358 South Ellsworth Road
Queen Creek, AZ 85142

Subject: Approval of Calendar Year (CY) 2024 Colorado River Water Diversion – Town of Queen Creek (Queen Creek)

Dear Mr. Gardner:

The Bureau of Reclamation received Queen Creek's CY 2024 Colorado River water diversion estimate in which Queen Creek requests approval to divert, at the Mark Wilmer Pumping Plant, up to 2,033.01 acre-feet (AF) in CY 2024. In accordance with Title 43, Code of Federal Regulations Part 417 (Part 417), this letter provides Queen Creek with notice of my determination regarding their proposed diversion and beneficial use of Colorado River water for CY 2024.

Pursuant to Contract No. 20-XX-30-W0689 (Contract), Queen Creek is entitled to divert up to 2,033.01 AF per year of Arizona fourth priority Colorado River Mainstream Water (Mainstream Water Entitlement) for domestic use within Queen Creek's Contract Service Area. As specified in the Contract, the delivery of Queen Creek's Mainstream Water Entitlement on behalf of Queen Creek will be made to the Mark Wilmer Pumping Plant on Lake Havasu for conveyance through the Central Arizona Project (CAP) System by the Central Arizona Water Conservation District (CAWCD) pursuant to the *Reclamation Wheeling Contract Between the United States and the Town of Queen Creek to Transport Non-Project Water* dated April 28, 2023 (Reclamation Wheeling Contract).

On August 15, 2023, Reclamation released its Colorado River Basin August 2023 24-Month Study,¹ 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,² 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,³ the state of Arizona will be required to make DCP Contributions in the total amount of 192,000 AF in CY 2024.

¹ 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 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>.

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ARIZONA, CALIFORNIA*, NEVADA*

* PARTIAL

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, 113,927,⁴ 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 Recommendation⁵ and the "pool" approach described by letter dated January 25, 2021.⁶ 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 Queen Creek, and the information gathered during Reclamation's Part 417 consultation, I approve the diversion, at the Mark Wilmer Pumping Plant, of up to 2,033.01 AF of Colorado River water during CY 2024 for use within Queen Creek's service area. Pursuant to the terms of the Reclamation Wheeling Contract, this water will be delivered by CAWCD through the CAP.

Reclamation would like to highlight that, in accordance with the *Inadvertent Overrun and Payback Policy*,⁷ **accumulations of inadvertent overruns are not permitted in CY 2024 and are suspended as long as a Shortage Condition is in effect.**

Thank you for submitting Queen Creek'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 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 L. Gould, P.E.
Regional Director

cc: See next page.

⁴ 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.

⁵ Available at: https://new.azwater.gov/sites/default/files/8-6-2009_ADWR_Shortage_%20recommendation.pdf

⁶ Available at: https://new.azwater.gov/sites/default/files/01.25.21_ADWR_CAWCD_shortage_recommendationLetter.pdf

⁷ Available at: <https://www.usbr.gov/lc/region/g4000/IOPP.pdf>

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