

conditions. River operations under the plan are modified during the year as runoff predictions are adjusted to reflect existing snowpack, basin storage, and flow conditions.

Summary

Upper Basin Delivery. Annual releases from Lake Powell during water year 2009 shall be made consistent with Section 6.B (Upper Elevation Balancing Tier) of the Interim Guidelines. Consistent with Section 6.B.1, the water year release from Lake Powell in 2009 shall be 8.23 million acre-feet (maf) (10,150 million cubic meters [mcm]) unless provisions in Section 6.B.3 occur. Consistent with Section 6.B.3 of the Interim Guidelines, if the April 2009 24-Month Study projects the September 30, 2009, Lake Powell elevation to be greater than elevation 3,639.0 feet (1,109.2 meters), Section 6.A (Equalization Tier) of the Interim Guidelines will govern the release of water from Lake Powell for the remainder of water year 2009 (through September 2009).

Lower Basin Delivery. Under the most probable inflow scenario, downstream deliveries are expected to control the releases from Hoover Dam. Taking into account (1) the existing water storage conditions in the basin, (2) the most probable near-term water supply conditions in the basin, and (3) Section 2.B.5 of the Interim Guidelines, the Intentionally Created Surplus (ICS) Surplus Condition is the criterion governing the operation of Lake Mead for calendar year 2009 in accordance with Article III(3)(b) of the Operating Criteria and Article II(B)(2) of the Consolidated Decree.

No unused apportionment for calendar year 2009 is anticipated. If any unused apportionment becomes available after adoption of this AOP, Reclamation, on behalf of the Secretary, shall allocate any such available unused apportionment for calendar year 2009 in accordance with Article II(B)(6) of the Consolidated Decree.

Water may be made available for diversion pursuant to 43 CFR Part 414² to contractors within the Lower Division States. The Secretary shall make Intentionally Created Unused Apportionment (ICUA) available to contractors in Arizona, California, or Nevada for the off-stream storage or consumptive use of water pursuant to individual Storage and Interstate Release Agreements (SIRA) and 43 CFR Part 414. In calendar year 2008, approximately 0.025 maf (30.84 mcm) of ICUA water stored in Arizona is anticipated to be recovered for use in California³ by the Metropolitan Water District of Southern California (MWD). In calendar year 2008, approximately 0.045 maf (55.51 mcm) of ICUA water from Nevada is anticipated to be stored in California by MWD.⁴ In calendar year 2009, ICUA water stored in Arizona is anticipated to be recovered for use in California by MWD. The Southern

² Off-stream Storage of Colorado River Water; Development and Release of Intentionally Created Unused Apportionment in the Lower Division States: Final Rule (43 CFR Part 414; 64 *Federal Register* 59006, November 1, 1999).

³ Amendatory Agreement to Agreement between the Central Arizona Water Conservation District and the Metropolitan Water District of Southern California for a Demonstration Project on Underground Storage of Colorado River Water, December 1, 1994.

⁴ Storage and Interstate Release Agreement among The United States of America, acting through the Secretary of the Interior; The Metropolitan Water District of Southern California; the Southern Nevada Water Authority; and the Colorado River Commission of Nevada, October 21, 2004.

Nevada Water Authority (SNWA) may propose to make unused Nevada basic apportionment available for storage by MWD in 2009.

The Inadvertent Overrun and Payback Policy (IOPP), which became effective January 1, 2004, will be in effect during calendar year 2009.⁵

The Colorado River Water Delivery Agreement⁶ requires payback of California overruns occurring in 2001 and 2002 as noted in Exhibit C of that document. Each district with a payback obligation under Exhibit C may at its own discretion elect to accelerate paybacks.

In calendar years 2008 and 2009, paybacks occurring in California result from Exhibit C obligations and IOPP overruns. During calendar year 2008, the California paybacks are projected to total 0.044 maf (54.27 mcm). In calendar year 2009, California paybacks are projected to total 0.004 maf (4.934 mcm).

During calendar year 2008, the Arizona paybacks are projected to total 0.0006 maf (0.740 mcm). In calendar year 2009, Arizona paybacks are projected to total 0.0003 maf (0.370 mcm).

Nevada incurred no payback obligation for 2008. In calendar year 2009, Nevada paybacks are projected to total 0.00013 maf (0.160 mcm).

The Interim Guidelines adopted the ICS mechanism that among other things encourages the efficient use and management of Colorado River water in the Lower Basin. ICS may be created and delivered in 2009 pursuant to the Interim Guidelines and appropriate delivery and forbearance agreements.

In 2006, Reclamation implemented an ICS Demonstration Program in the Lower Basin. The ICS Demonstration Program allowed entitlement holders to undertake extraordinary conservation activities in 2006 and 2007 to reduce their approved annual consumptive use of Colorado River water and account for that conserved water in Lake Mead. The ICS credits created and accounted for under the ICS Demonstration Program are available for delivery pursuant to the Interim Guidelines and appropriate delivery and forbearance agreements. In calendar year 2006, MWD created 0.050 maf (61.67 mcm) of ICS credits.⁷ In calendar year 2008, MWD is anticipated to recover up to 0.046 maf (56.74 mcm) of ICS credits created under the ICS Demonstration Program. If MWD has not recovered all of its Demonstration Program ICS credits during calendar year 2008, MWD may request delivery of those credits during 2009. In calendar year 2007, the Imperial Irrigation District (IID) planned to create

⁵ Record of Decision for Implementation Agreement, Inadvertent Overrun and Payback Policy, and Related Federal Actions, Final Environmental Impact Statement, October 10, 2003; 69 Federal Register 12202, March 15, 2004).

⁶ Colorado River Water Delivery Agreement: Federal Quantification Settlement Agreement for Purposes of Section 5(B) of Interim Surplus Guidelines, October 10, 2003; 69 Federal Register 12202, March 15, 2004).

⁷ Agreement between the United States Bureau of Reclamation and MWD to Implement a Demonstration Program to Create Intentionally Created Surplus Water, May 18, 2006.

0.001 maf (1.234 mcm) of ICS credits under the program.⁸ Pursuant to the IID ICS agreement, the conserved water was applied to reduce its 2007 IOPP overrun.

In 2006, Reclamation implemented the System Conservation of Colorado River Water Demonstration Program (SC Demonstration Program) in the Lower Division States which allows entitlement holders to participate in voluntary conservation to conserve a portion of their approved annual consumptive use of Colorado River water in exchange for appropriate compensation provided by Reclamation. Reclamation extended the SC Demonstration Program through December 31, 2010.⁹ The System Conservation Water (SC Water) is retained in Lake Mead to assist in providing an interim, supplemental source of water to replace the drainage water from the Wellton-Mohawk Irrigation and Drainage District (WMIDD) that is bypassed to the Cienega de Santa Clara (Cienega) and the reject stream from operation of the Yuma Desalting Plant (YDP). In calendar year 2008, approximately 0.0031 maf (3.824 mcm) of SC Water is projected to be created by Yuma Mesa Irrigation and Drainage District (YMIDD) and retained in Lake Mead.¹⁰ In calendar year 2009, approximately 0.0035 maf (4.317 mcm) of SC Water is projected to be created by YMIDD and retained in Lake Mead.¹¹

In December 2007, Reclamation signed a funding agreement for the construction of the Drop 2 Storage Reservoir. In exchange for project funding, SNWA received 0.400 maf (493.4 mcm) and MWD and the Central Arizona Water Conservation District (CAWCD) each received 0.100 maf (123.3 mcm) of System Efficiency ICS credits. In calendar year 2008, MWD is anticipated to take delivery of 0.034 maf (41.94 mcm) of its System Efficiency ICS credits and has requested delivery of 0.034 maf (41.94 mcm) of these credits in 2009. Upon approval by the Secretary of an ICS creation plan, SNWA anticipates creating and taking delivery of Tributary Conservation ICS credits from projects on the Muddy and Virgin Rivers. SNWA anticipates creating and taking delivery of 0.016 maf (19.74 mcm) of Tributary Conservation ICS credits in 2008 and 0.030 maf (37.00 mcm) in 2009.

1944 United States-Mexico Water Treaty Delivery. A volume of 1.500 maf (1,850 mcm) of water will be available to be scheduled for delivery to Mexico during calendar year 2009 in accordance with Article 15 of the 1944 United States-Mexico Water Treaty and Minutes No. 242 and 314 of the IBWC.

⁸ Agreement between IID and the United States Bureau of Reclamation to Implement a Demonstration Program to Create Intentionally Created Surplus Water, June 26, 2006.

⁹ Extension of Policy Establishing a Demonstration Program for System Conservation of Colorado River Water, September 16, 2008.

¹⁰ Agreement between the United States Bureau of Reclamation and the Yuma Mesa Irrigation and Drainage District to Implement a Demonstration Program for System Conservation of Colorado River Water, February 4, 2008.

¹¹ Agreement between the United States Bureau of Reclamation and the Yuma Mesa Irrigation and Drainage District to Implement a Demonstration Program for System Conservation of Colorado River Water, October 7, 2008.