

of mainstream users in other Lower Division States as provided in the Consolidated Decree of the Supreme Court of the United States in *Arizona v. California*, 547 U.S. 150 (2006) (Consolidated Decree).

Consistent with the above determinations and in accordance with other applicable provisions of the “Law of the River,” the AOP was developed with “appropriate consideration of the uses of the reservoirs for all purposes, including flood control, river regulation, beneficial consumptive uses, power production, water quality control, recreation, enhancement of fish and wildlife, and other environmental factors” (Operating Criteria, Article I(2)).

Since the hydrologic conditions of the Colorado River Basin can never be completely known in advance, the AOP presents projected operations resulting from three different hydrologic scenarios: the maximum probable, most probable, and minimum probable reservoir inflow conditions. River operations under the plan are modified during the year as runoff predictions are adjusted to reflect existing snowpack, basin storage, flow conditions, and as changes occur in projected water deliveries.

Summary

Upper Basin Delivery. Annual releases from Lake Powell during water year 2010 shall be made consistent with Section 6.B (Upper Elevation Balancing Tier) of the Interim Guidelines. Consistent with Section 6.B.1 and based on the August 2009 24-Month Study projections, the water year release from Lake Powell in 2010 shall be 8.23 million acre-feet (maf) (10,150 million cubic meters [mcm]).

The Interim Guidelines provide for adjustments to the operations in April based on the April 24-Month Study that would result in a water year 2010 release greater than 8.23 maf (10,150 mcm). Based on the October 2009 24-Month Study under the most probable inflow scenario, an April adjustment would occur and result in the Equalization Tier governing operations of Lake Powell for the remainder of the water year.

Given the hydrologic variability of the Colorado River System, the water year release from Lake Powell in 2010 will range from 8.23 maf (10,150 mcm) to 14.65 maf (18,070 mcm) or greater. For further information about the variability of projected inflow into Lake Powell, projected Lake Powell elevations, and projected monthly releases, please see the Lake Powell section under the Summary of Reservoir Operations in 2009 and Projected 2010 Reservoir Operations, Tables 3 through 6, 8, and 9, and figures depicting projected elevation and storage at Lake Powell in the Appendix.

Lower Basin Delivery. 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 2010 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 2010 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 2010 in accordance with Article II(B)(6) of the Consolidated Decree.

Colorado River water may be stored off-stream pursuant to individual Storage and Interstate Release Agreements (SIRAs) and 43 CFR Part 414⁸ within the Lower Division States. The Secretary shall make Intentionally Created Unused Apportionment (ICUA) available to contractors in Arizona, California, or Nevada pursuant to individual SIRAs and 43 CFR Part 414. In calendar year 2009, 0.030 maf (37.0 mcm) of ICUA water stored in Arizona is anticipated to be recovered for use in California by the Metropolitan Water District of Southern California (MWD).⁹ In calendar year 2010, 0.006 maf (7.4 mcm) of ICUA water stored in Arizona is anticipated to be recovered for use in California by MWD. The Southern Nevada Water Authority (SNWA) may propose to make unused Nevada basic apportionment available for storage by MWD in calendar years 2009 and 2010.¹⁰

The Inadvertent Overrun and Payback Policy (IOPP), which became effective January 1, 2004, will be in effect during calendar year 2010.¹¹

The Colorado River Water Delivery Agreement 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 year 2009, paybacks occurring in California result from Exhibit C obligations and IOPP overruns. Based on 2009 payback plans, it is anticipated that all Exhibit C obligations will be paid back by the end of 2009, two years ahead of schedule. In calendar year 2010, paybacks occurring in California result from IOPP overruns only. During calendar year 2009, California paybacks are projected to total 0.005 maf (6.2 mcm). In calendar year 2010, California paybacks are projected to total 0.001 maf (1.2 mcm).

During calendar year 2009, Arizona paybacks are projected to total 0.0002 maf (0.25 mcm). In calendar year 2010, Arizona paybacks are projected to total 0.0002 maf (0.25 mcm).

During calendar year 2009, Nevada paybacks are projected to total 0.005 maf (6.2 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

⁸ 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).

⁹ 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.

¹⁰ 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.

¹¹ 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).

created and delivered in 2010 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.¹² In calendar year 2010, MWD may recover up to 0.028 maf (34.54 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 2010, MWD may request delivery of those credits in a subsequent year. In calendar year 2006, the Imperial Irrigation District (IID) planned to create 0.001 maf (1.233 mcm) of ICS credits under the program.¹³ Pursuant to the IID ICS agreement, the conserved water was applied to reduce its 2006 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, 2010.¹⁴ 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 Ciénega de Santa Clara (Ciénega) and the reject stream from operation of the Yuma Desalting Plant (YDP). In calendar year 2009, approximately 0.0035 maf (4.32 mcm) of SC Water is projected to be created by Yuma Mesa Irrigation and Drainage District (YMIDD) and retained in Lake Mead.¹⁵ Reclamation may enter into agreements with entitlement holders to create SC Water in 2010.

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 mcm) and MWD and the Central Arizona Water Conservation District (CAWCD) each received 0.100 maf (123 mcm) of System Efficiency ICS credits. In calendar year 2009, MWD may request delivery of up to 0.034 maf (41.9 mcm) of its System Efficiency ICS credits and is anticipated to take delivery of 0.034 maf (41.9 mcm) of these credits in 2010.

¹² Agreement between the United States Bureau of Reclamation and MWD to Implement a Demonstration Program to Create Intentionally Created Surplus Water, May 18, 2006.

¹³ Agreement between IID and the United States Bureau of Reclamation to Implement a Demonstration Program to Create Intentionally Created Surplus Water, June 26, 2006.

¹⁴ Extension of Policy Establishing a Demonstration Program for System Conservation of Colorado River Water, September 16, 2008.

¹⁵ 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.

In early 2009, MWD, SNWA, and CAWCD requested that Reclamation conduct a pilot run operation of the YDP (Pilot Run). If the YDP Pilot Run is approved, CAWCD, MWD, and SNWA would receive System Efficiency ICS credits in exchange for funding. MWD anticipates taking delivery of its System Efficiency ICS credits created from the YDP Pilot Run in 2010.

SNWA anticipates creating 0.030 maf (37.0 mcm) and taking delivery of 0.024 maf (29.6 mcm) of Tributary Conservation ICS credits in 2009. In 2010, SNWA anticipates creating 0.042 maf (51.8 mcm) (0.037 maf [45.6 mcm] of Tributary Conservation ICS and 0.005 maf [6.2 mcm] of Imported ICS) and taking delivery of 0.040 maf (49.3 mcm) of ICS credits in 2010.

IID anticipates creating up to 0.025 maf (30.8 mcm) of Extraordinary Conservation ICS credits each year in 2009 and in 2010.

MWD may create Extraordinary Conservation ICS credits in 2009 if water supply availability permits and may request delivery of these ICS credits in 2010. MWD may create Extraordinary Conservation ICS credits in 2010 if water supply availability permits.

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 2010 in accordance with Article 15 of the 1944 United States-Mexico Water Treaty and Minutes No. 242 and 314 of the IBWC.