



# United States Department of the Interior

BUREAU OF RECLAMATION  
Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470

IN REPLY REFER TO:  
LC-4220  
WTR-4.03

**MAY 9 2011**

CERTIFIED – RETURN RECEIPT REQUESTED

Honorable Timothy Williams  
Chairman  
Fort Mojave Indian Tribe  
500 Merriman Avenue  
Needles, CA 92363-2299

Subject: Verification of 2010 Inadvertent Overrun Payback by the Fort Mojave Indian Tribe – California Reservation (Tribe)

Dear Chairman Williams:

Effective January 1, 2004, the Inadvertent Overrun and Payback Policy (IOPP) established requirements for payback of any inadvertent overuse of Colorado River water by users in the Lower Division States. In accordance with the IOPP and the proposed Procedures for Administering the Inadvertent Overrun and Payback Policy (IOPP Procedures), the Tribe implemented a 6-month Fallowing Program (Program) during calendar year 2010 to pay back 4,070 acre-feet of the Tribe's remaining overrun account balance.

The IOPP and the IOPP Procedures obligate the Bureau of Reclamation to monitor the implementation of the extraordinary conservation measures contained in an approved Payback Plan (Plan). On September 21, 2010, Reclamation staff conducted a verification inspection during which sixteen fields totaling 1,819 acres were inspected. Based upon the information collected during this inspection, Reclamation confirmed that extraordinary conservation was being implemented. The resulting report documenting this finding is enclosed for your records. Using satellite imagery, Reclamation staff conducted an additional analysis on the fields in the Program. This analysis also confirmed that the participating fields remained fallowed for the 6-month duration of the Program.

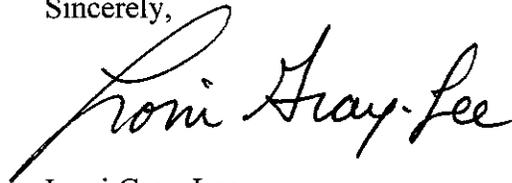
The IOPP Procedures require a Contractor implementing payback measures to submit a report certifying the amount of Colorado River water conserved and/or supplemented by the implementation of the payback measures in the previous calendar year as described in the Contractor's approved Plan. The Tribe's report, dated April 13, 2011, documented that, according to provisional data, total diversions for the Tribe in California were 11,773 acre-feet, which is 4,947 acre-feet less than the Tribe's entitlement and 877 acre-feet less than the Tribe's 2010 scheduled diversions. The report also documented that the total diversion by Avi Kwa'Ame Farms, the entity responsible for the payback obligation, was 6,135 acre-feet or 115 acre-feet below the scheduled diversion of 6,250 acre-feet.

Reclamation provided the Tribe's payback report, Reclamation's inspection verification report, and the satellite images to members of the Inadvertent Overrun and Payback Technical Committee (IOPTC). On April 19, 2011, the IOPTC met to review and discuss this information. Mr. John Algots participated in that meeting to represent the Tribe. During the course of the meeting, the IOPTC requested that the Tribe submit additional information to more clearly illustrate the amount of water conserved by the extraordinary conservation measures taken by the Tribe. The Tribe responded to this request by letter dated April 28, 2011, which was provided to the IOPTC members. Subsequently, the IOPTC members provided recommendations regarding the adequacy of the Tribe's payback report and the supplemental letter, collectively, to support verification of the amount of water conserved.

Taking into consideration the recommendations provided by the IOPTC members, I hereby verify and determine that the Tribe successfully implemented the extraordinary conservation measures consistent with its approved 2010 Payback Plan, and therefore credit 4,070 acre-feet to the payback of the Tribe's overrun account balance.

If you have questions, please contact Mr. Paul Matuska, Water Accounting and Verification Group Manager, at 702-293-8164.

Sincerely,



Lorri Gray-Lee  
Regional Director

Enclosure

cc: Mr. Christopher Harris  
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Subject: Verification of 2010 Inadvertent Overrun Payback by the Fort Mojave Indian Tribe  
California Reservation (Tribe)

cc: Continued from previous page.

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