



# United States Department of the Interior

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

**MAR 17 2011**

IN REPLY REFER TO:  
LC-4220  
WTR-4.03

**CERTIFIED – RETURN RECEIPT REQUESTED**

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

**Subject: Approval of Calendar Year 2010 Inadvertent Overrun and Payback Policy (IOPP)  
Modified Payback Plan for the Fort Mojave Indian Tribe (Tribe) in California (Your  
Letter Dated October 26, 2010)**

Dear Chairman Williams:

Effective January 1, 2004, the 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 enclosed proposed Procedures for Administering the Inadvertent Overrun and Payback Policy (IOPP Procedures), the Tribe submitted to the Bureau of Reclamation an extraordinary conservation payback plan that detailed a partial year fallowing program to pay back 4,070 acre-feet of the Tribe's remaining overrun balance during calendar year 2010 (Payback Plan). Reclamation approved the Tribe's 2010 Payback Plan by letter dated July 30, 2010.

Subsequent to that approval, Reclamation became aware that the Tribe was not following the approved 2010 Payback Plan and, by letter dated October 18, 2010, requested the Tribe to submit a revised plan to remain in compliance with the IOPP and the proposed IOPP Procedures.

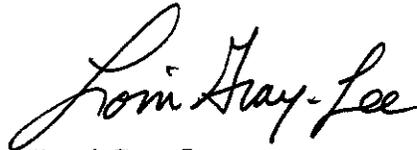
Under cover letter dated October 26, 2010, the Tribe submitted a modified 2010 Payback Plan. The Inadvertent Overrun and Payback Technical Committee (IOPTC) reviewed the modified plan and recommended its adequacy on December 2, 2010. Taking into consideration the recommendation of the IOPTC, I hereby make the final determination that the Tribe's modified 2010 Payback Plan adequately meets the requirements of the IOPP and proposed IOPP Procedures, and approve the plan as implemented during calendar year 2010.

The IOPP requires that Reclamation monitor implementation of the extraordinary conservation measures contained in payback plans. During 2010, Reclamation physically inspected 100 percent of the Tribe's fallowed acres using remote sensing and by monitoring records of diversions to Avi Kwa'Ame Farms, to validate that the extraordinary conservation measures applied were in accordance with the modified 2010 Payback Plan. Verification of the amount of water conserved by the Tribe during 2010 will be discussed at the spring 2011 IOPTC meeting. Reclamation requests the Tribe submit a report by April 4, 2011, certifying the amount of water

conserved by implementation of the payback measures described in the modified 2010 Payback Plan as approved.

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

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