Fort Mojave Indian Tribe

Physical Resources Department
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October 26, 2010

Ms Lorri Grey-Lee, Regional Director
US Bureau of Reclamation
Lower Colorado River Regional Office
PO Box 61470
Boulder City, Nevada 89006

Dear Ms Grey-Lee:

As per your request of October 18, 2010, please find the enclosed Inadvertent Overrun and Payback Policy modified 2010 Payback Plan.

Please do not hesitate to contact us should you have any questions.

Sincerely

John Algots, Director

cc

Timothy Williams, Chairman

Paul Matuska, USBR

10/28/10

4000

CYR-4200

FORT MOJAVE INDIAN TRIBE CALIFORNIA RESERVATION
INADVERTENT OVERRUN AND PAYBACK POLICY (IOPP)
2010 PAYBACK PLAN
(Revised June 2, 2010)
(Modified September 23, 2010)

1. Cause of Inadvertent Overrun

In 2006 new water metering instrumentation was installed to increase the accuracy of the Fort Mojave Indian Tribe, California Reservation, Colorado River diversions. The new instrumentation indicated that the Tribe was diverting more water than it had anticipated. Since this discovery the Tribe has worked to lower its diversion of Colorado River water to within its decreed amount of 16,720 acre-feet (af) or approved water order. The Tribe overran its California Colorado River approved water order in 2007 and 2008 in the amount of 4,603 and 304 af respectively.

2. IOPP Conservation Measure that will be Implemented

The Tribe's Payback Plan for Calendar Year 2010 defines a six month fallowing program that will conserve 4,070 af of Colorado River water. The Tribe would have irrigated these lands in the absence of this payback obligation. The conserved water will pay back the following obligations:

1,535 af - 2007 overrun due in 2009,
1,534 af - 2007 overrun due in 2010,
304 af - 2008 overrun due in 2010,
697 af – early payback of a portion of the 2007 overrun due in 2011.

3. Location and Schedule of Fallowing with Amount of Water Conserved

There are four users of the Tribe's California decreed water rights. The Tribe will be paying back its obligation by partial year fallowing within the lands operated by the Tribe's own farming operation, Avi Kwa'Ame Farms. Of the Tribe's total California entitlement of 16,720 af, Avi Kwa'Ame Farms is allocated 10,320 af. Avi Kwa'Ame Farms will reduce its diversion to 6,250 af, ensuring the conservation of 4,070 af of Colorado River water.

Avi Kwa'Ame Farm's previous four year (2006 through 2009) diversion records were analyzed to establish a historical water use baseline. For this analysis, Avi Kwa'Ame Farms actual diversion was reduced by the amount of overrun incurred by the Tribe's California Reservation. The diversion records indicate that the Tribe has historically diverted approximately 5.0 af per acre of irrigated land. The Tribe will fallow all of its irrigated acreage for a minimum of 6 months (see Table #1) for a detailed fallowing and projected water conservation calendar)[1]. The Tribe will fallow these lands during the summer months which require the greatest amount of water to sustain crops. Therefore, using the averaged annual diversion rate should result in a relatively conservative estimate of actual water conserved.

The analysis indicated that the six month fallowing of the Tribe's California lands will result in 5,226 af of conservation, which will satisfy the 4,070 af of payback planned for 2010.

4. Monitoring and Verifying IOPP Conservation Measure

The Reservation and all water diversion records are available for inspection at any time upon reasonable notice. Reclamation will perform satellite and field verification to ensure that the fields remain fallow during the period outlined.

All water diverted by Avi Kwa'Ame Farms is metered through a Bureau of Reclamation maintained gauge. Real time data is available on the Reclamation website at http://www.usbr.gov/lc/region/g4000/riverdata/index.html under *Additional Real Time Gauges > California 1.* The other water users are Harter Farms, Quail Hollow and the California Village. Approximately 90% of the water consumed by Harter Farms is metered through *California 2 North, South & West* Reclamation gauges. Harter Farms and Quail Hollow also receive water from wells which are reported in the *Other Ag* column on the Tribe's monthly water report to Reclamation. The usage in the California Village is reported in the *Municipal* column of the monthly water report.

Irrespective of the conservation measure implemented, the pumps will be turned off in the event that 2010 diversions reach 12,650 acre feet.

[1] *September 23 Modification*

The original 2010 Payback Plan called for fallowing all irrigated land through the summer months with the exception of Fields 1 through 12.These fields, planted to hybrid Bermuda, were to be fallowed following seed harvest foregoing the normal two cuttings for hay in late summer. In the absence of normal summer rain and on the advise of our customer's agronomist, these fields had to be irrigated to preserve the stand The water so used will be deducted from amount available for fall planting of annual forage and the overall payback for 2010 will not change..

Table #1 SCHEDULE OF DIVERSIONS (af)

Month	Avi Kwa'Ame	Harter Farms	Quail Hollow	California Village	Total
January	499	75	4	3	581
February	458	205	6	2	671
March	485	325	5	3	818
April	853	621	10	3	1,487
May	684	800	8	3	1,495
June	686	900	10	3	1,599
July	367	900	12	3	1,282
August	414	800	10	3	1,227
September	200	700	8	3	911
October	4	475	6	3	488
November	600	275	5	3	883
December	1,000	200	5	3	1,208
TOTALS	6,250	6,276	89	35	12,650

John Algots, Director
Department of Physical Resources