# 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

APR 29 2011

CERTIFIED - RETURN RECEIPT REQUESTED

Mr. Roger Patterson
Assistant General Manager
The Metropolitan Water District
of Southern California
P.O. Box 54153
Los Angeles, CA 90054-0153

Subject: Verification of 2009 Extraordinary Conservation Intentionally Created Surplus Created by the Metropolitan Water District of Southern California (MWD)

Dear Mr. Patterson:

The *Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead* (Interim Guidelines) establishes the requirements for the creation, delivery, and accounting for Intentionally Created Surplus (ICS). Section 3.B.1 of the Interim Guidelines requires a Contractor to submit a plan for the creation of ICS to the Secretary of the Interior for review and approval prior to the creation of ICS. Section 3.D.1 requires the Contractor to submit a Certification Report containing appropriate information which demonstrates the amount of ICS created and that the method of creation was consistent with the Contractor's approved ICS plan. Section 3.D.2 requires the Secretary, acting through the Lower Colorado Regional Director, to verify the information submitted and provide a written decision to the Contractor regarding the amount of ICS created.

The following chronology documents how the above requirements were met regarding MWD's creation of Extraordinary Conservation ICS during calendar year 2009:

- By letter dated September 30, 2008, MWD submitted to the Bureau of Reclamation its annual estimates of monthly diversions for calendar year 2009, which included its plan for the creation of Extraordinary Conservation ICS during calendar year 2009 (ICS Plan). Reclamation understood that MWD's ability to implement the ICS Plan was dependent upon the water supply available to MWD during calendar year 2009. MWD later chose not to seek approval of that ICS Plan as all available water supply was needed to meet service area demands.
- By letter dated September 14, 2009, MWD submitted a revised ICS Plan. Through funding and implementation of a forbearance and fallowing program within the Palo Verde Irrigation District (PVID), MWD sought approval to create 100,000 acre-feet of Extraordinary Conservation ICS.

- After consultation with the Lower and Upper Basin States, Reclamation approved MWD's revised ICS Plan by letter dated December 4, 2009.
- In accordance with the revised ICS Plan, Reclamation conducted an independent field verification of 5 percent of acres fallowed in PVID. Reclamation's report, documenting the inspection and confirming that extraordinary conservation was implemented in accordance with the approved ICS Plan, was signed on March 4, 2010.
- By letter dated August 24, 2010, MWD submitted to Reclamation an Extraordinary Conservation ICS Certification Report demonstrating the creation of 55,836 acre-feet of Extraordinary Conservation ICS during calendar year 2009.

In accordance with Section 3.D.2 of the Interim Guidelines, I hereby verify and make a final determination that MWD created 55,836 acre-feet of Extraordinary Conservation ICS during calendar year 2009, prior to accounting for the one-time deduction of 5 percent for the benefit of additional system storage in Lake Mead, as outlined in Section 3.B.2 of the Interim Guidelines.

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

Sincerely,

Lorri Gray-Lee
Regional Director

cc: Mr. Christopher Harris
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