



# United States Department of the Interior

BUREAU OF RECLAMATION  
Lower Colorado Regional Office  
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Boulder City, NV 89006-1470

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LC-4220  
WTR-4.03

**MAY 14 2013**

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. Kevin Kelley  
General Manager  
Imperial Irrigation District  
P.O. Box 937  
Imperial, CA 92251-0937

Subject: Approval of Calendar Year 2013 Inadvertent Overrun and Payback Policy (IOPP)  
Payback Plan for the Imperial Irrigation District (IID)

Dear Mr. Kelley:

Effective January 1, 2004, the IOPP established requirements for payback of inadvertent overuse of Colorado River water by users in the Lower Division States. By letter dated June 20, 2012, the Bureau of Reclamation notified IID that based on Reclamation's final water accounting records for calendar year 2011, IID incurred an overrun of 82,662 acre-feet (af) in 2011. In accordance with the IOPP, IID is required to begin payback of its 2011 overrun in calendar year 2013 and to pay back a minimum amount of 62,000 af.

By letter dated September 20, 2012, IID submitted its Final 2013 Inadvertent Overrun Payback Plan (Plan). As outlined in IID's Plan, IID proposed to implement six extraordinary conservation measures to meet its calendar year 2013 payback obligation of 62,000 af. These measures include: use of IID's existing Extraordinary Conservation Intentionally Created Surplus (ICS) credits; exchange of Colorado River water with the Coachella Valley Water District (CVWD) for water banked off-stream and forbearance of consumptive use of an equivalent amount of Colorado River water; delivery system improvements; seepage interception and recovery; fallowing; and on-farm efficiency conservation measures.

In its Plan, IID requested that the balance of its Extraordinary Conservation ICS credits (5,842 af) be deducted in 2012 and applied as early payback toward its 2013 payback obligation. In its Plan, IID also notified Reclamation of the possibility that it would request CVWD to return stored groundwater to IID in 2012, which IID would leave in Lake Mead and apply as early payback toward its 2013 payback obligation, if such an arrangement was deemed beneficial to both parties. By letter dated December 21, 2012, CVWD documented that it returned 448 acre-feet of stored groundwater to IID in 2012 via a reduction in CVWD's consumptive use at Imperial Dam.

IID staff presented IID's draft payback plan to the Inadvertent Overrun and Payback Technical Committee (IOPTC) in a meeting held on September 11, 2012, in Boulder City, Nevada. The IOPTC, comprised of Reclamation representatives and one representative from each of the Lower Division States, serves to assist Reclamation in performing a technical review of, and providing a recommendation and/or comments on, a contractor's payback plan regarding the adequacy of the plan in meeting the requirements of the IOPP. Collectively, the IOPTC provided technical comments on IID's draft plan, which IID later incorporated into its final Plan. No formal recommendation regarding IID's Plan was provided to Reclamation by the individual state representatives.

Reclamation notes that, in addition to IID's 2013 payback obligation, IID is required to conserve 196,000 acre-feet in 2013 to meet its transfer obligations set forth in Columns 5, 7, and 8 of Exhibit B to the Colorado River Water Delivery Agreement (CRWDA). Reclamation further notes that, in accordance with Section 2.4 of the IOPP, conservation measures implemented to meet an IOPP payback obligation must be in addition to those being implemented to meet any existing transfer or conservation agreement. As stated in the Plan, IID's primary objective in implementing the delivery system improvements, seepage interception and recovery, fallowing and on-farm efficiency conservation measures "is to satisfy its conservation, transfer, and mitigation obligations...although implementation schedules and conservation targets have been accelerated to meet IOPP obligations." Reclamation appreciates IID's effort to accelerate implementation schedules and conservation targets to ensure it successfully meets both its aforementioned CRWDA transfers and its 2013 IOPP payback obligation.

Based upon Reclamation's review of IID's Plan, I approve IID to use and/or implement four of the six proposed payback measures to meet IID's calendar year 2013 payback obligation: IID's existing ICS credits; forbearance of Colorado River water exchanged with CVWD; IID's fallowing program; and IID's seepage interception and recovery system. Moreover, I approve IID's request that Reclamation apply the balance of IID's Extraordinary Conservation ICS credits (5,842 af) and the balance of IID's stored groundwater returned by CVWD (448 acre-feet) as early payback toward IID's 2013 payback obligation. Applying these credits reduces IID's 2013 payback obligation to 55,710 af. Reclamation appreciates IID's effort to provide payback in advance of its established payback schedule.

With respect to the delivery system improvements and on-farm efficiency conservation measures, at this time I am withholding approval on use of these two measures for implementation to meet IID's calendar year 2013 payback obligation pending additional consultation with IID. Reclamation recognizes that IID is developing these programs and appreciates the significant effort being undertaken to ensure these programs are successful. Reclamation will continue to consult with IID as IID responds to requests to provide additional information demonstrating how the estimate of conservation yields from these measures will be derived, as well as information describing how Reclamation will be able to monitor implementation and perform verification of these measures. After further review of such supplemental information, Reclamation will further consider the approval of these two proposed extraordinary conservation measures for implementation to meet IID's 2013 payback obligation.

Unless and until Reclamation approves the use of delivery system improvements and on-farm efficiency conservation measures, IID is approved to repay the balance of its 2013 payback obligation only through fallowing and/or through seepage interception and recovery.

The IOPP requires that Reclamation monitor implementation of the extraordinary conservation measures outlined in approved payback plans. Reclamation will work closely with IID staff to arrange and conduct semi-annual field verification inspections in 2013 on 5 percent of the enrolled acreage in IID's fallowing program and on 5 percent of the seepage interception and recovery systems. Should Reclamation approve additional measures under IID's delivery system improvements and/or on-farm efficiency programs, Reclamation will work with IID staff to identify and conduct the appropriate verification inspections of these measures as well. To ensure IID is on target to meet its 2013 payback obligation, Reclamation requests that IID provide quarterly updates regarding IID's progress in implementing the approved extraordinary conservation measures.

Reclamation's administration of the IOPP requires that IID submit a report certifying the amount of Colorado River water conserved by implementation of the extraordinary conservation measures in the previous calendar year as defined in the approved Plan. This report must contain appropriate data that demonstrates the conservation yields achieved by each approved measure. Please submit this report, certifying the amount of conservation achieved in calendar year 2013, to Reclamation no later than February 28, 2014.

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

Sincerely,



Terrance J. Fulp, Ph.D.  
Regional Director

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