



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

JUN 07 2013

CERTIFIED - RETURN RECEIPT REQUESTED

Mr. and Mrs. Russell Youmans
Beattie Farms Southwest
3025 NW Firwood Place
Corvallis, OR 97330-1121

Mr. Richard Prinster
Beattie Farms Southwest
1076 Highway P
O'Fallon, MO 63366-1014

Subject: Notice of Calendar Year (CY) 2012 Overrun of Colorado River Entitlement by Beattie Farms Southwest (Farm)

Dear Mr. and Mrs. Youmans and Mr. Prinster:

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, this letter informs you that the Bureau of Reclamation's final water accounting records for CY 2012 document that the Farm incurred an overrun of 235 acre-feet.

An overrun governed by the IOPP occurs when an entitlement holder inadvertently diverts, pumps, or receives Colorado River water in excess of the water user's entitlement for that year. Under Contract No. 05-XX-30-W0446, the Farm is entitled to divert up to 1,110 acre-feet per year for use within the Farm's contract service area. As published in the *Colorado River Accounting and Water Use Report Arizona, California, and Nevada Calendar Year 2012*, the Farm diverted 1,345 acre-feet in CY 2012, thereby exceeding its annual entitlement by 235 acre-feet.

An entitlement holder incurring an inadvertent overrun is required to submit a payback plan to Reclamation that demonstrates how the entitlement holder will intentionally forbear use of Colorado River water by implementing extraordinary conservation measures sufficient to meet its payback obligation. For overruns incurred in CY 2012, an entitlement holder must submit a payback plan to Reclamation by July 8, 2013. An entitlement holder's payback plan must describe:

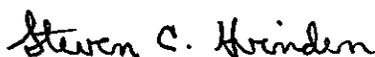
- a. The cause of the overrun.
- b. The extraordinary conservation measure(s) that will be implemented to pay back the overrun.

- c. The schedule, location, and amount of water that will be conserved by the payback measure(s), and information that adequately demonstrates that the proposed payback measure(s) is: (1) in addition to measure(s) being implemented to conserve water in accordance with any existing water transfer agreements, water conservation agreements, or Intentionally Created Surplus Plans of Creation, and (2) in addition to the measures implemented in any Reclamation-approved water conservation plan.
- d. How the payback measure(s) being implemented will meet the payback obligation.
- e. The amount of Colorado River water that will be conserved and/or supplemented by the payback measure(s) being implemented, for each year in the case of 3-year payback plans.
- f. The method(s) by which Reclamation will be able to monitor the implementation of the payback plan and verify the amount of payback.

In accordance with Section 2.3 of the IOPP, payback of the Farm's CY 2012 overrun will begin in CY 2014. The number of years within which an overrun must be paid back, and the minimum payback amount required in each year are defined in Section 2.6 of the IOPP. The Farm's payback for the CY 2012 overrun is governed by Section 2.6.d. of the IOPP, which provides for a 1-year payback schedule. Therefore, the Farm's CY 2012 overrun amount of 235 acre-feet must be repaid in full in CY 2014. This required payback is in addition to any other payback requirements the Farm may have in CY 2014.

Should the Farm need assistance in developing its payback plan, or have questions regarding the IOPP or the Farm's overrun and payback obligation, please contact Mr. Paul J. Matuska, Water Accounting and Verification Group Manager, at 702-293-8164.

Sincerely,



Steven C. Hvinden
Chief, Boulder Canyon Operations Office

cc: Ms. Tanya M. Trujillo
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