



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

Subject: Notice of Calendar Year (CY) 2012 Overrun of Colorado River Entitlement by the Imperial Irrigation District (IID)

Dear Mr. Kelley:

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 IID that the Bureau of Reclamation's final water accounting records for CY 2012 document that IID incurred an overrun of 134,076 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 entitlement holder's approved water order for that year. As published in the *Colorado River Accounting and Water Use Report Arizona, California, and Nevada Calendar Year 2012*, IID's consumptive use of Colorado River water totaled 2,903,216 acre-feet in CY 2012, resulting in an overrun of 148,375 acre-feet. IID informed Reclamation that, in CY 2012, IID conserved 157,023 acre-feet through its Main Canal Seepage Interception System projects and its Fallowing programs. Of this amount, 142,904 acre-feet of conservation was used to meet the required transfers referenced in the Colorado River Water Delivery Agreement, Exhibit B, Columns 5, 7, and 8. Reclamation applied the remaining 14,299 acre-feet of conserved water to IID's overrun, thereby reducing IID's CY 2012 overrun amount to 134,076 acre-feet.

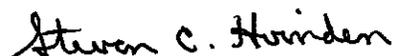
An entitlement holder incurring an inadvertent overrun is required to submit a payback plan to Reclamation that demonstrates how the entitlement holder will intentionally forgo use of Colorado River water by implementing extraordinary conservation measures sufficient to meet its payback obligation. For 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 measures 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 IID'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 required for each year are defined in Section 2.6 of the IOPP. IID'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, IID's CY 2012 overrun amount of 134,076 acre-feet must be repaid in full in CY 2014. This required payback is in addition to any other payback requirements IID may have in CY 2014.

Should IID have questions regarding the IOPP or IID'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
Executive Director
Colorado River Board of
California
770 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035

Ms. Sandra A. Fabritz-Whitney
Director
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, AZ 85012-2105

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cc: Continued from previous page.

Jayne Harkins, P.E.
Executive Director
Colorado River Commission of Nevada
555 East Washington Avenue, Suite 3100
Las Vegas, NV 89101-1065

Note to Reviewer(s)

Subject: Calendar Year (CY) 2012 Notice of Overrun letter for the Imperial Irrigation District (IID)

Due Date: 6/7/2013

Action: Enclosed for the Chief of the Boulder Canyon Operations Office (Chief's) review and signature is the Bureau of Reclamation's letter providing IID written notice that, based on Reclamation's final water accounting records for CY 2012, IID incurred an overrun of 134,076 acre-feet. In accordance with the Inadvertent Overrun and Payback Policy (IOPP), IID must pay back this overrun in full CY 2014. Additional information is provided below.

Background: 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. As reported in Reclamation's *Colorado River Accounting and Water Use Report Arizona, California, and Nevada; Calendar Year 2012*, IID incurred an overrun of 134,076 acre-feet in CY 2012 (Attachment 1).

In accordance with the IOPP (Attachment 2), this letter provides IID with a formal notification of its 2012 overrun and outlines the requirements of the IOPP as they relate to IID's payback obligation, including the requirement to submit a payback plan no later than July 8, 2013. In accordance with Section 2.6.d. of the IOPP, IID has 1-year to pay back the overrun, with the full amount due in CY 2014.

Note: CY 2012 was the second consecutive year IID overran its entitlement. In 2011, IID incurred an overrun of 82,662 acre-feet. In accordance with Section 2.6.c, IID's payback schedule for its 2011 overrun is as follows: 62,000 acre-feet in CY 2013; and 20,662 acre-feet in CY 2014 (Attachment 3). Therefore, taking into account IID's 2012 overrun, IID's ***total*** payback obligation in CY 2014 will be 154,738 acre-feet (134,076 af + 20,662 af = 154,738 af). This letter notes that IID's payback obligation for its 2012 overrun is in addition to any other payback obligations IID may have during CY 2014.

Recommendation: It is recommended that the Chief sign the enclosed letter providing IID with notice of its CY 2012 overrun.

Contact: Should you have questions, please contact Paul Matuska at ext. 8164 or, in his absence, Nicole Everett at ext. 8417.

Special Handling Instructions: The target date to issue this letter is May 31, 2013.