



SOUTHERN NEVADA
WATER AUTHORITY

STATE OF NEVADA



COLORADO RIVER COMMISSION
OF NEVADA

May 6, 2019

Commissioner Brenda Burman
United States Department of the Interior
Bureau of Reclamation
1849 C Street, N.W.
Washington DC 20240

Re: Colorado River Basin Drought Contingency Plan

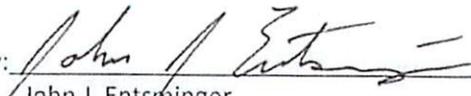
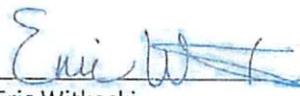
Dear Commissioner Burman:

On April 16, 2019, President Trump signed H.R. 2030 and the Colorado River Drought Contingency Plan Authorization Act (the "Act") became law (Public Law No: 116-14). Among other matters, the Act directs the Secretary of the Interior to execute and carry out certain agreements concerning Colorado River Drought Contingency Management and Operations after execution by the other parties thereto, including the Lower Basin Drought Contingency Plan Agreement ("LB DCP Agreement"). Exhibit 1 to the LB DCP Agreement contains the Lower Basin Drought Contingency Operations (or "LBOps") provisions for implementing drought actions in the Lower Basin. Section IV.E.2 of the LBOps provides that the parties from each State to the Lower Basin Drought Contingency Agreement "shall identify, for their respective States, such new or modified ICS Exhibits from that State that are necessary to implement the provisions of the LB DCP Agreement and these LBOps, and the Secretary shall approve and implement such new or modified ICS Exhibits." This letter is respectfully submitted on behalf of the State of Nevada pursuant to Section IV.E.2 of the LBOps.

The ICS Exhibit necessary to implement drought actions in Nevada under the LB DCP Agreement and LBOps is Southern Nevada Water Authority's "Extraordinary Conservation Intentionally Created Surplus (EC ICS) Using Municipal Conservation and Offstream Storage for implementation under the Lower Basin Drought Contingency Plan" ("MCOS ICS Project"), attached hereto. The United States Bureau of Reclamation has coordinated informal consultations among the seven Basin States regarding the MCOS ICS Project. Please indicate your approval of the MCOS ICS Project, effective upon execution of the LB DCP Agreement by the United States, by executing this letter in the space provided below and returning it to us together with fully executed copies of each of the other documents the Act requires the Secretary of Interior to execute without delay.

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We wish to thank you and the many Bureau of Reclamation and Department of Interior employees who have helped us cross the finish line with this landmark series of agreements designed to help sustain the entire Colorado River System.

<p>SOUTHERN NEVADA WATER AUTHORITY</p> <p>By:  John J. Entsminger Its: General Manager</p>	<p>COLORADO RIVER COMMISSION OF NEVADA</p> <p>By:  Eric Witkoski Its: Executive Director</p>
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APPROVED, SUBJECT TO AND EFFECTIVE
UPON EXECUTION OF THE LB DCP AGREEMENT
BY THE UNITED STATES, this 6th day of 2019,
May
UNITED STATES OF AMERICA, acting by and
through its BUREAU OF RECLAMATION,

By: 
Dr. Terrance Fulp
Its: Lower Colorado Regional Director

LBOps ICS Exhibit W
Southern Nevada Water Authority
Extraordinary Conservation Intentionally Created Surplus (EC ICS)
Using Municipal Conservation and Offstream Storage
for implementation under the Lower Basin Drought Contingency Plan

Summary: The Southern Nevada Water Authority (SNWA) initiated an aggressive municipal conservation program in 2002. Nevada's consumptive use of Colorado River water peaked at over 325,000 acre-feet in 2002 when the area's population was approximately 1.5 million. Since that time, SNWA reduced Nevada's consumptive use of Colorado River water by as much as 100,000 acre-feet annually while the population in Southern Nevada grew by over 650,000 persons. SNWA's investment in municipal conservation totaled over \$250,000,000 between 2000 and 2018. In addition to the funds expended by SNWA, SNWA's purveyor members have taken many actions to ensure the coordinated success of these conservation programs.

Similarly, SNWA has developed many options to store unused Colorado River resources in offstream storage accounts within California, Arizona, and the Las Vegas aquifer. In order to store approximately 600,000 acre-feet of water in Arizona, SNWA has invested over \$120 million. In addition, SNWA and its member agencies invest annually to maintain their well pumping capacity within the Las Vegas Valley.

Together, the investments in conservation and offstream storage capability have reduced SNWA's water use below its annual apportionment of Colorado River Water and created the ability to store this water offstream. By selectively creating Extraordinary Conservation (EC) ICS with Municipal Conservation and Offstream Storage (MCOS) water in Lake Mead in lieu of storing the water offstream, it will help proactively manage reservoir elevations by increasing storage in Lake Mead.

Purpose: Provide the Southern Nevada Water Authority (SNWA) with an interim water supply for the duration of time in which EC ICS water can be recovered from Lake Mead beginning in 2017.

Verification: The following two items will be used to verify EC ICS created through MCOS:

- a) Maintaining the ability to store water offstream in either Nevada, California, or Arizona as evidenced by any one of the following:
 - a. Existing storage and interstate release agreement between the Secretary, SNWA, and another state
 - b. Order 1176 (or a materially equivalent action) by the Nevada State Engineer allowing in-lieu Recharge for SNWA and/or its member agencies
 - c. Permit(s) from the Nevada State Engineer allowing SNWA and/or its member agencies to conduct artificial recharge

These documents are attached hereto as Attachment A-D and will not be required for resubmission in SNWA's annual EC ICS Certification Report unless modified or amended; and

- b) Continuation of all or a portion of the actions described in Attachment E and any additional municipal water conservation activity that results in a decrease in SNWA's consumptive use of water resources. As part of SNWA's annual EC ICS Certification Report, SNWA will submit information summarizing municipal conservation programs and actions taken during the year,

including approximate direct expenditures for all programs and actions (exclusive of staff time) in similar detail to Attachment E.

Total Amount of EC ICS Credited through MCOS Annually: The amount of EC ICS that will be created through MCOS for each Year is the difference between SNWA's net per capita consumptive water use (NPCCU) in 2002 and SNWA's NPCCU for such Year multiplied by the calculated population in SNWA's service area (Population) as shown in the following equation:

$$(NPCCU_{2002} \times Population_{Current\ Year}) - (NPCCU_{Current\ Year} \times Population_{Current\ Year}) = EC\ ICS\ Creation\ in\ current\ year\ through\ MCOS$$

The NPCCU will be calculated by summing all sources and consumptive uses of water (including Colorado River water, local ground water use by SNWA and its member agencies, and other imported water supplies), divided by the Population. Each Year's Population shall be calculated as described in Attachment F. Diversions of Colorado River water for offstream storage will not be included in the NPCCU calculation.

An example of this calculation for 2017 is included as Attachment F along with additional details on calculations and sources of information.

Limitations of Creation of EC ICS through MCOS:

- a) The amount of water conserved by SNWA to be devoted to the creation of EC ICS through MCOS is limited by SNWA's sole discretion to participate in storage and interstate release of water and other annual water use adjustments.
- b) The amount of EC ICS through MCOS that shall be credited by the Secretary to SNWA's Extraordinary Conservation ICS Account in each Annual Decree Accounting Report prepared by the Secretary shall not be greater than the difference between Nevada's consumptive use of Colorado River Water and Nevada's annual allocation of Colorado River Water.
- c) The quantity of EC ICS through MCOS credited to SNWA shall not exceed 100,000 acre-feet per year.