January 26, 2018

Comments from: Conserve Southwest Utah

RE: comments to Bureau of Reclamation on Water Rights Exchange Negotiations- Green River Block, Contract No. 17-WC-40-655, Draft 10-5-17

Conserve Southwest Utah (CSU) is a coalition of citizens advocating for conservation of the area's natural resources, our public lands, our water, our air and cultural resources. We advocate for the Smart Growth principles that enable conservation of these resources for the benefit of present and future generations. We have been studying and commenting on the Lake Powell Pipeline Project for over 10 years. We are concerned that the State of Utah's (Utah) Green River water right is only a paper water right and not suitable for a permanent water project. Our community will have to spend $ billions building a pipeline to a diminishing resource. Our specific concerns are explained in detail below.

We appreciate the opportunity to comment on Utah's Green River water right exchange proposal with the Bureau of Reclamation (BOR). Utah would use its assigned water right from the Ultimate Phase of Central Utah Project that was never built. It would have had to finance and operate new state owned storage facilities to use this water right. It is a Green River variable tributary spring high water right. It could be diverted only 2 months a year. Including a very long environmental process concerned about the endangered fishes. Although in this exchange Utah would trade this Green River high water right of 72,641 acre feet to BOR and receive BOR water rights with reliable releases from Flaming Gorge Dam and draw the water from Lake Powell in the State of Arizona for the Lake Powell Pipeline (LPP).

But, this Green River 72,641 acre feet water right from the Ultimate Phase of the Central Utah Project (A30414d) is no longer present in the river system. This is due to reduced flows from rising temperatures; over allocation; a 1956 LPP water right, which is junior to other senior water rights holders; and unsettled Federal Reserve Water Rights claims of Indian tribes and other Federal reservations. Thus, this is a paper water right that Utah is not entitled to under the Compacts.

For these reasons, this water right cannot be used for this water rights exchange. Utah wants to develop about 361,000 acre feet of its remaining share of the Colorado River. It will use a portion of its remaining allocation of 86,249 acre feet for the Lake Powell Pipeline. However, according to Bureau of Reclamation (BOR) since 2002 water demand for Colorado River water has already outstripped supply. The Colorado River is over allocated and there is not enough water present to meet all of the current obligations. Another Bureau of Reclamation study indicated the "apportioned water in accordance with the Law of River exceeds the approximate 100 year average flow of river of 15 million acre feet year (MAFY) at Lee Ferry and is 16.4 MAFY."[1] "The Basin faces a wide range of plausible future long-term imbalance between supply

[1] Colorado River Basin Stakeholders *Moving Forward* to address Challenges identified in the Colorado River Basin Water Supply and Demand Study, Phase 1 Report: Executive Summary, Bureau of Reclamation, May 2015.

and demand. This imbalance computed as a 10-year running average, ranges from no imbalance to 6 million acre feet (MAF) with a median of 3.2 MAF in 2060."[2] Compounding the problem is river flows at Lee Ferry during last 15 years have only been 12.5 -13 MAFY; not 15 MAFY used in planning. These lower flows are not being considered by BOR, or Utah in forecasting water for the LPP that is making a bad situation worse.

Utah doesn't have enough water remaining from the Colorado River Compact for this water right for the next 50 years. As water continues to decline this water right will subordinate to senior water rights holders. Utah is claiming this junior water right of 1956 will travel from Flaming Gorge Reservoir all the way down to Lake Powell and other senior water rights holders will never be able to divert is a unsubstantiated claim.

This is because the Upper Basin states get a certain percentage of what remains in river and this amount of water has been going down. Utah's allocation is 23%. In 1922 the Upper Basin states were allocated 7.5 MAFY to divide. In a 1988 Hydrologic Determination Upper Basin states could only divide 6 MAFY. Utah is using 23% of 6 million acre feet a year for its share of Colorado River. But, a 2007 hydrologic determination stated the flow the Upper Basin states could reasonably plan for is now lower, between 5,550,000- 5,720,000 acre feet a year (AFY).[3] Therefore, if you use 5,550,000 AFY times 23%, equals 1,276,500 MAFY, not 1,369,000 that Utah is using now. Due to Utah's water right being only 23% of what remains; their remaining water right will continue to decline and there wouldn't be enough water for the LPP and all the other senior water rights, or unsettled Federal Reserved Water Rights. For example:

6 million acre feet minus- 50,000 ac ft for AZ equals 5,950,000 acre feet.

23% of 5,950,000 acre feet= 1,368,000 af; (Utah is now using this)

23% of 5,550,000 afy = 1,276,500 (Less water Utah can use)

Utah's Allocation using 6 MAFY

1.369 MAFY using 23% of 6 MAFY

<u>1.008</u> MAFY used

361,000 acre feet remaining in Utah's allocation using higher flows

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[2] Colorado River Basin Stakeholders *Moving Forward* to address Challenges identified in the Colorado River Basin Water Supply and Demand Study, Phase 1 Report: Executive Summary, Bureau of Reclamation, May 2015, page 3

[3] see at: http://www.riversimulator.org/Resources/USBR/2007HydrologicDetermination.pdf

This 2005 chart illustrates the over allocation of Utah's remaining Colorado River share of 361,000 acre feet: [4]

Potential Depletion

Approved Applications (Undeveloped)

Applicant	Quantity (Ac Ft)
San Juan County WCD	30,000
Central Utah WCD	29,500
Board of W R (et al)	158,000
Wayne County WCD	50,000
Kane County WCD	30,000
Sanpete WCD	5,600
Uintah County WCD	5,000
Others	80,000
Ute Tribe ?	105,000
TOTAL	493,100, (which is above 361,000 af)

Over Allocation of Utah's Water Rights

Utah's water managers explain the over allocation of water.

Excerpts from a Deseret News article: [5]

> *The Water Question: The staggering problem of determining water rights.*
>
> *"Your paper water right may look very big and supply everything you are asking, but the wet water, in reality, can be very different," Kent Jones, the state engineer over water rights, said.*

[4] **Upper Colorado River Basin Current Water Rights Issues Division of Water Rights April 2005 See at** https://www.waterrights.utah.gov/meetinfo/m042005/jdo_2005.ppt

[5] See at:http://www.deseretnews.com/article/865617715/The-water-question-The-staggering-problem-of-determining-water-rights.html; 2014 by Amy Joi O'Donoghue

The Colorado River, for example, holds 1.4 million acre-feet of water for Utah to put to use. There are applications approved for more than 2 million acre-feet, and about one half of that is currently in use. Jones said the imbalance has yet to be a problem because the water has not been developed — but the struggle will come with time, and those holding "junior" rights will go wanting.

Many of the files are outdated, which means there could be a big difference between what is in the file — paper water — and the actual water that exists or is available — wet water.

"We are growing so much as a state and there is so much demand for water, it is critical we know where these existing uses are and protect them," said Mike Styler, executive director of the Utah Department of Natural Resources. "And there is really no new water to be had."

Why should Utahns care? Because the nature of water rights is that there <u>are far more rights than the water that actually exists,</u> so the task is to determine what is real and what is not.

Of the 15 major watershed areas in Utah, just two of them have been researched and adjudicated, which means that the investigation and documentation work was carried out and a judge then issued a decree. "

The Adjudication process validates water rights in a court proceeding. It is a long, tedious process of verifying water rights and making a formal determination about the volume of water available and whether it is being put to "beneficial" use. Time and resources are necessary to involve all claimants and collect sufficient data to complete the adjudication process. With growing demands for water, it is imperative the adjudication process be expedited to determine current use and what water might yet be available. As the value of water continues to increase, water right files need to be up to date and accurate through use of the adjudication process. Current funding for State Water Engineer's office is insufficient to complete the adjudication process in a timely manner. A water official mentioned at this pace it could take a 150 years to complete the process. The Adjudication process does not take into account lower flows in the future due do a warming climate. This will impact wildlife, fish and recreation and there will be less water supply to divide among water rights users. In Utah the rivers, streams and aquifers are over allocated. Disputes will become more frequent. Unfortunately, it is the wildlife, the fish and recreation that will suffer the most because they are not recognized as a *beneficial use in* Utah Law.

The Bureau of Reclamation (BOR) has responsibility for determining how much water is available for use in the Upper Basin before approving new water projects. The BOR should do a 2018 hydrological determination for Lake Powell Pipeline to prove the water is present in Colorado River System for this 50 year Contract. In our research due to lower flows, and over allocation Utah's remaining share of the Colorado River is restricted to senior water rights holders and Federal Reserve Water rights to Utah's Indian Tribes and other Federal reservations.

Federal Reserved Water Rights

Before Utah allocates a portion of its remaining allocation to the Lake Powell Pipeline it should first settle all of its Federal Reserved Water Rights claims.

When the United States reserved public land for uses such as Indian reservations, military reservations, National Parks, National Forest lands, or Monuments and other public land reservations, it also implicitly reserved sufficient water to satisfy the primary purposes for which the reservation was created. Reservations made by presidential executive order or those made by an act of Congress have implied Federal Reserved Water Rights. The date of priority of a Federal Reserved Water Right is the date the reservation was established. The United States Supreme Court has determined that the measure of a Federal Reserved Water Right is not dependent on beneficial uses to which the water has been historically applied, but should be quantified based on the water needed to accomplish the primary purpose for which the reservation was established.

While some Federal Reserved Water Rights in Utah have been settled many have not.[6] This situation creates the potential for unknown and unquantified Federal Reserve Water Rights to disrupt long established appropriative state water rights if or when the reservation uses are developed even though the rights may have been un-quantified, undeveloped, and unrecorded under state water rights laws for decades. Utah has completed Federal Reserved Water Rights settlement agreements on 10 of the 17 National Parks and Monuments and with other federal reservations. But, Canyonlands National Park and Dinosaur National Monuments have pending Federal water rights claims in the Green River that are not included in the accounting of Utah's remaining water rights. Rainbow Bridge National Monument is also being negotiated. It is uncertain if National Forest Lands have any Federal Water Rights in the Green River. All of these unsettled Federal Reserve Water Rights need to be added to Utah's remaining Compact allocation.

Tribal Water Rights

The Indian Tribes were not at the table in the 1922 Colorado River Compact, nor in any later compacts and the compacts didn't change or reduce any of their rights. The states have to settle water rights claims with the tribes who have reservations in Utah because Indian rights have to come out of the Utah's remaining 361,000 acre feet Colorado River water right. As river flows are reduced this could become problematic for the Lake Powell Pipeline water right because tribal rights have priority over the junior water right of 1956 Lake Powell Pipeline.

The Utah Navajo Water Rights Settlement Act was introduced in Congress by Senator Hatch in 2017 see at: (https://www.congress.gov/bill/115th-congress/senate-bill/664). The agreement is for 81,500 acre of feet of water annually from the San Juan River; $200 million from U.S.

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[6] Reserved water rights power point, Boyd Clayton DWRe, September 26, 2016. See at: https://westernstateengineers.files.wordpress.com/2016/12/clayton_2016fall.pdf

Congress; and $8 million from Utah. Also, the Bureau of Reclamation shall: (1) plan, design, and construct the water diversion, delivery, and conservation features of the Navajo water development projects. This agreement must be approved by Congress and ratified by the Utah legislature and the Navajo Nation before it can be implemented.

The Northern Ute Tribe of the Uintah and Ouray Indian Reservation in Duchesne, Uintah and Grand Counties have Federal Reserved Water Right claims in Utah. Negotiations culminated in a settlement agreement approved by Congress in 1992. But it was never ratified by the tribe. Also, the proposed Ute Indian Water Compact of September 22, 2009 was never ratified either by the tribe.[7] This agreement quantified water rights for the tribe limited to 470,594 acre-feet diversion rights and 258,943 acre-feet of depletion from the Upper Colorado River System of the Uinta and Lake Front Rivers and Duchesne River in Utah. Negotiation with Utah is for 105,000 acre foot of depletion out of Utah's remaining share of Compact water rights. The priority date for the Ute Tribal Water Rights when transferred to the Green River is October 3, 1861. Negotiation is also underway to resolve claims of the Confederated Tribes of the Goshute Reservation in northwestern Utah. A settlement agreement with the Shivwitts Band of Paiute Indians in southern Utah was completed and passed by congress.

Resolving Indian water rights and the other Federal Reserved Water Rights before allocating more water projects would remove significant uncertainty to what Utah's remaining share of Colorado River water will be used for. Federal Reserved Water Rights in the Colorado River have to come out of Utah's remaining share of its Colorado River Compact rights, which is about 361,000 acre feet. With Colorado River flows declining and Utah's share being only 23% of what remains it is uncertain how Utah will meet its obligations to higher priority water rights over the 50 year term of Lake Powell Pipeline's hydropower license.

Lake Powell Pipeline Junior Water Right

The priority date for Lake Powell Pipeline water right is 1956 when the Flaming Gorge reservoir and Central Utah project were approved. This means that all water rights granted prior to 1956 have a higher priority than the Lake Powell Pipeline. Also, the Lake Powell Pipeline water right is junior to the Central Utah Project and junior to the Lower Basin States water rights

As flows diminish over time Utah's junior priority water right of 1956 for the Lake Powell Pipeline will be subordinated to senior water rights holders.

For instance, the obligations having priority over the Lake Powell Pipeline water rights include:

- Water required for Mexico in the 1922 Compact, Article III (c): "If, as a matter of international comity, the United States of America shall hereafter recognize in the United State of Mexico any right to the use of any waters of the Colorado River System….."[8] Requires the Upper Basin to provide one-half the deficiency in the

[7] Compacts and agreements, See at: https://www.waterrights.utah.gov/wrinfo/policy/compacts.asp

[8] The Colorado River Compact Article III (c); See at https://www.usbr.gov/lc/region/pao/pdfiles/crcompct.pdf

obligation to Mexico when it can't be met through a surplus. The treaty obligation to Mexico is 1.5 MAF. Thus in theory, if there is not surplus the Upper Basin states would have to provide another 750,000 acre feet. Utah does not consider Mexico's water rights in their planning.

- Water required for the Lower Basin is 7.5 million acre feet a year. The 1922 Compact Article III (d) states: "The States of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of ten consecutive years reckoned in continuing progressive series …"[9]
- The Upper Basin Compact of 1948 Article III. also includes lower basin requirement:[10]
    - Article IV – "In the event curtailment of use of water by the States of the Upper Division at any time shall become necessary in order that the flow at Lee Ferry shall not be depleted below that required by Article III of the Colorado River Compact, the extent of curtailment by each State of the consumptive use of water apportioned to it by Article III of this Compact shall be in such quantities and at such times as shall be determined by the Commission……."

- Utah Indian Tribes and other Federal reservations such as National Parks, and National Forest Service lands
- Senior water rights holders

Specific comments on the Contract include:

RECITALS

CONTRACT Page 2.

g. This recital states the 1996 agreement for the water right includes a provision "*Upon release from Flaming Gorge Reservoir said water right can be developed, diverted perfected by the State of Utah as permitted by law."* However, it is being stressed at meetings this water right will not be released from Flaming Gorge Dam. This is contradictory statement that is not consistent in information given to public.

CONTRACT Page 3.

j. It is not in the United States or other stake holders' best interest to continue to over allocate the Colorado River.

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[9] Ibid. Article III (d)

[10] Upper Basin Compact 1948, See at: https://www.usbr.gov/lc/region/pao/pdfiles/ucbsnact.pdf (emphasis added)

CONTRACT Page 4. 4. TERM

The Contract remains in effect for 50 years. Although there is no proof Utah will be able to pump water for 50 years using a 1957 junior water right out of Lake Powell. There is nothing disclosed in this Contract how projected lower flows; or lower reservoir levels will curtail use of this water right. This Lake Powell Pipeline water right will subordinate to other senior water rights holders when water flows, or reservoir elevations decline. Utah claims it will be able to divert water in dire conditions in Lake Powell without any facts to justify this position. Its intake structure in Lake Powell withdraws water near dead pool. This Contract provision needs to be clarified and rewritten on what restrictions would apply to withdrawing water from Lake Powell as water declines in dire conditions.

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8. RATE AND METHOD OF PAYMENT

How did you calculate the rate? It seems the rate of $19 per acre is low compared to other BOR Contracts. (see "Attachment A" below) It should be disclosed how the rate was established and what other projects have been charged. Also, what are the costs of the CRSP used to determine the rate in this Contract so the public can judge if the rate is fair; or subsided by the nation's taxpayers?

For instance, the Upper Gunnison River Water Conservancy District Contract No. 04-WC-40-010 was charged a much higher rate of $71.68 per acre foot.

Excerpts from their Contract:

> The first year per acre-foot rate of $71.66 will be charged for any approved third-party contract and is calculated from an amortization of the total debt service amount of $611,745.00, using the annuity due formula, a 40-year payment term, and an interest rate of 5.49 percent, which is the 2001 annual average rate for 20-year Treasury constant maturities.

7. MEASUREMENT AND RESPONSIBILITY FOR DISTRIBUTION

(c) This contract and all water taken pursuant hereto shall be subject to and controlled by the Colorado River Compact, dated November 24, 1922, and proclaimed by the President of the United States June 25, 1929, the Boulder Canyon Project Act approved December 21, 1928, the Boulder Canyon Project Adjustment Act of July 19, 1940, Upper Colorado River Basin Compact dated October 11, 1948, the Mexican Water Treaty of February 3, 1944, and the Colorado River Basin Project Act of September 30, 1968, Public Law 90-537.

(d) In the event water available to the District is required to be curtailed under and by reason of the provisions of the foregoing acts, including the reaching of maximum use of water allotted to the State of Colorado, no liability shall attach to the United States for such curtailment, and the District agrees to reduction of the amount of water taken hereunder as the Secretary determines necessary to comply with the provisions of said acts.

This could also be an opportunity to add an escalation clause to the Contract as the elevation of Lake Powell go lower the price of acre foot of water should go up. Pricing is good tool for conservation.

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(n) CONSTRAINTS ON THE AVAILIBILITY OF WATER

This section should describe at what reservoir level Utah could continue to pump water out of Lake Powell and when it could not. Utah claims it can pump water from Lake Powell in dire conditions from near Dead Pool.

How does the Upper Basin Project Act 602 (a) storage in Lake Powell restrict pumping below elevation of 3,630 ft when the water in less than 14.85 MAF for the LPP? In the future the entire capacity of Lake Powell will be needed to meet 602 (a) storage requirements; a trigger point should be discussed in this Contract.

This Contract should disclose how senior water rights holders will restrict pumping water for LPP out of Lake Powell?

WATER SUPPLY SHORTAGE

There is nothing in the Contract that explains what will happen to LPP water right in a shortage. A clause should be included.

ADD –WATER CONSERVATION

There is an opportunity to add a water conservation clause similar to what is in this Contract shown below. Cities receiving water would have to have a comprehensive Water Conservation Plan with firm targets. For Example:

THE UTE MOUNTAIN UTE TRIBE, ANIMAS-LA PLATA PROJECT, [11] page 19

WATER CONSERVATION
Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Tribe shall develop a water conservation plan, which shall contain definite water conservation objectives, appropriate economically feasible water conservation measures, and time schedules for meeting those objectives.

BOR HANDOUT MEETING IN ST GEORGE

The power point picture titled *Pumping Cost Savings Due to Lake Powell* doesn't make sense. The illustration shows a full Lake Powell and on the average it is only half full. The LPP intake pipe is estimated to go down to near Dead Pool and that is not shown in the picture. Thus, the picture doesn't represent the proposed project. Utah is showing in this illustration if there was no Lake Powell then they would have to pump water from the river itself and this is a saving. The LPP project consumes a lot of power and isn't much of power producer. Please explain in the Contract how there are real cost savings from the LPP. The example used by Utah can't be considered a valid Energy Saving Assessment for the project.

In summary, this water rights exchange Contract includes many unsubstantiated claims. In this 50 year Contract the BOR must address that Utah's share of Colorado River will decline over this 50 year period and also consider: the other obligations that have higher priority date than the Lake Powell Pipeline water right in a drought along the Green River; also consider that the other Upper Basin states upstream that want to develop their remaining share of the Colorado River; and Utah must address its over allocation of its Colorado River *approved* water rights of about 600,000 acre feet before it allocates more water for the Lake Powell Pipeline. If you study all of these unresolved issues how can Utah make a claim that the its Green River water right will protect the endangered fishes in the Green River from Flaming Gorge Reservoir to Lake Powell and get a special privilege from BOR to pump water out of Lake Powell?

In closing, the BOR should complete a 2018 Hydrologic Determination for the Upper Basin states as to the availability of water under this long-term service contract. This would determine if Utah has remaining Colorado River allocation to trade. Please don't hesitate to call, or email me if you have questions on my comments.

Respectfully,

Jane Whalen
435-635-2133
janewhalen@earthlink.net
Conserve Southwest Utah
341 N Mall Drive, #202, St George, Utah 84790

[11] See at:https://www.usbr.gov/uc/wcao/pdfs/contractDocs/ALP_UMUT_DRAFT_Contract_11.2017.pdf

see “Attachment A” below Price per acre foot, chart

“Attachment A”

https://www.federalregister.gov/documents/2018/01/18/2018-00794/rate-adjustments-for-indian-irrigation-projects

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Project name	Rate category	Final 2017 rate	Final 2018 rate	Proposed 2019 rate
Northwest Region Rate Table				
Flathead Irrigation Project (See Note #1)	Basic per acre—A *	$26.00	$29.00	$33.50
	Basic per acre—B *	13.00	14.50	16.75
	Minimum Charge per tract	75.00	75.00	75.00

Project name	Rate category	Final 2017 rate	Proposed 2018 rate	Proposed 2019 rate
Fort Hall Irrigation Project	Basic per acre *	$54.00	$56.00	$58.00
	Minimum Charge per tract *	38.50	39.00	40.00
Fort Hall Irrigation Project—Minor Units	Basic per acre *	32.50	35.00	36.50
	Minimum Charge per tract *	38.50	39.00	40.00
Fort Hall Irrigation Project—Michaud	Basic per acre *	57.50	59.50	62.00
	Pressure per acre *	88.50	92.50	98.00
	Minimum Charge per tract *	38.50	39.00	40.00
Wapato Irrigation Project—Toppenish/Simcoe Units	Minimum Charge per bill	25.00	25.00	25.00
	Basic per acre	25.00	25.00	25.00
Wapato Irrigation Project—Ahtanum Units	Minimum Charge per bill	30.00	30.00	30.00
	Basic per acre	30.00	30.00	30.00
Wapato Irrigation Project—Satus Unit	Minimum Charge per bill	79.00	79.00	79.00
	“A” Basic per acre	79.00	79.00	79.00
	“B” Basic per acre	85.00	85.00	85.00
Wapato Irrigation Project—Additional Works	Minimum Charge per bill	80.00	80.00	80.00
	Basic per acre	80.00	80.00	80.00

Project name	Rate category	Final 2017 rate	Final 2018 rate	Proposed 2019 rate
Wapato Irrigation Project—Water Rental	Minimum Charge	86.00	86.00	86.00
	Basic per acre	86.00	86.00	86.00
Rocky Mountain Region Rate Table				
Blackfeet Irrigation Project	Basic-per acre	20.00	20.00	20.00
Crow Irrigation Project—Willow Creek O&M (includes Agency, Lodge Grass #1, Lodge Grass #2, Reno, Upper Little Horn, and Forty Mile Units)	Basic-per acre	28.00	28.00	28.00
Crow Irrigation Project—All Others (includes Bighorn, Soap Creek, and Pryor Units)	Basic-per acre	28.00	28.00	28.00
Crow Irrigation Project—Two Leggins Unit	Basic-per acre	14.00	14.00	14.00
Crow Irrigation Two Leggins Drainage District	Basic-per acre	2.00	2.00	2.00
Fort Belknap Irrigation Project	Basic-per acre	16.00	16.00	16.00
Fort Peck Irrigation Project	Basic-per acre *	26.50	26.50	27.00
Wind River Irrigation Project—Units 2, 3 and 4	Basic-per acre *	23.50	24.00	25.00
Wind River Irrigation Project—Unit 6	Basic-per acre *	21.00	22.00	22.00
Wind River Irrigation Project—LeClair District (See Note #2)	Basic-per acre	47.00	47.00	47.00
Wind River Irrigation Project—Crow Heart Unit	Basic-per acre *	15.50	16.50	16.50
Wind River Irrigation Project—A Canal Unit	Basic-per acre *	15.50	16.50	16.50
Wind River Irrigation Project—Riverton Valley Irrigation District	Basic-per acre	30.65	30.65	30.65
Southwest Region Rate Table				
Pine River Irrigation Project	Minimum Charge per tract	50.00	50.00	50.00
	Basic-per acre *	19.00	20.00	21.00
Western Region Rate Table				
Colorado River Irrigation Project	Basic per acre up to 5.75 acre-feet	54.00	54.00	54.00
	Excess Water per acre-foot over 5.75 acre-feet	17.00	17.00	17.00
Duck Valley Irrigation Project (See Note #3)	Basic per acre	5.30	5.30	(+)
Yuma Project, Indian Unit (See Note #4)	Basic per acre up to 5.0 acre-feet	118.50	(+)	(+)
	Excess Water per acre-foot over 5.0 acre-feet	27.50	(+)	(+)

Project name	Rate category	Final 2017 rate	Final 2018 rate	Proposed 2019 rate
	Basic per acre up to 5.0 acre-feet (Ranch 5)	118.50	(+)	(+)

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Project name	Rate category	Final 2017 rate	Final 2018 rate	Proposed 2019 rate
San Carlos Irrigation Project (Joint Works) (See Note #5)	Basic per acre *	$25.00	$27.90	$31.25
	Proposed 2018-2019 Construction Water Rate Schedule:			
		Off project construction	On project construction— gravity water	On project construction— pump water
	Administrative Fee	$300.00	$300.00	$300.00.
	Usage Fee	$250.00 per month	No Fee	$100.00 per acre foot.
	Excess Water Rate †	$5.00 per 1,000 gal	No Charge	No Charge.
	† The excess water rate applies to all water used in excess of 50,000 gallons in any one month.			

Project name	Rate category	Final 2017 rate	Proposed 2018 rate	Proposed 2019 rate
San Carlos Irrigation Project (Indian Works) (See Note #6)	Basic per acre *	$81.00	$87.60	$95.40
Uintah Irrigation Project	Basic per acre *	18.00	20.00	21.00
	Minimum Bill	25.00	25.00	25.00
Walker River Irrigation Project	Basic per acre	31.00	31.00	31.00

+ These rates have not yet been determined; BIA will publish a separate notice for these rates at a later date.