

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004



BRUCE BABBITT, Governor
WESLEY E. STEINER, Director

April 18, 1984

Mr. Allan Belt
Area Manager
Yuma District Office
Bureau of Land Management
P.O. Box 5680
2450 Fourth Avenue
Yuma, Arizona 85364

Dear Mr. Belt:

This is in response to your request for confirmation of the Department of Water Resources recommendation that contracts are unnecessary for use of water from the Colorado River or from wells adjacent to the River below Morales Dam. Additionally, you expressed interest in the Department's position regarding use of water above Morales Dam after 1985 by users without contracts.

The Department has not changed its position as expressed in the September 4, 1979 letter from Kel M. Fox to Secretary of the Interior Andrus. We do not believe that contracts are necessary for use of water adjacent to the River below Morales Dam as this supply would otherwise move to Mexico but is not recognized as a delivery to Mexico. The Bureau of Reclamation has agreed to this recommendation and will not be requiring contracts in this area and will not be counting the pumping against Arizona's entitlement to Colorado River water. Should the Bureau's position change and the pumping be charged against Arizona's entitlement, we would at that time recommend that the use of water on these lands for agricultural purposes be terminated.

Regarding use of water on lands above Morales Dam which were not recommended receive an agricultural water contract, we agree with your position of allowing continued use of water on the lands through 1985. However, it is too early to determine if uses should be allowed beyond that time. The principal factor which will affect a decision in this regard is the projected operation and releases from the Colorado River reservoir system.

The responsibility to allow or disallow continued use by users without contracts along the river rests with the Bureau of Reclamation. The Department of Water Resources can only make recommendations in this regard. However, if the forecast of river operations indicates a reasonable opportunity of releases in addition to those required to meet downstream demands, including the Mexican Treaty obligation, the Department would have no objection to the continued use

Think Conservation!

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

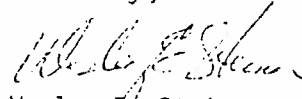
Mr. Allan Belt
April 18, 1984
Page Two

of water by uncontracted users. On the other hand, if the outlook is for the minimum release to meet downstream demands, then the uses should be terminated and we would so recommend. Another factor which may influence this decision would be the benefits to the drainage pumpage program which may accrue from continued use of water for agricultural purposes. If it can be demonstrated that continued use of water would be of benefit to this program, then consideration can be given to continued use even though minimum releases are being made from the reservoir.

With regard to timing of a decision, it is necessary to have the Bureau's annual plan for river operation completed before a final determination can be made. A decision for any year would be premature before October 1st of the preceding year. Therefore, a decision on use of water in 1986 should not be made until October 1, 1985.

I hope this answers your questions relative to the Department's position on uses from the Colorado River.

Sincerely,



Wesley F. Steiner
Director

WES:pcj

cc: Bill Plummer
B.H. Embree
Bob Kennerdy