

Exhibit _____

Mohave Valley Irrigation and Drainage District (MVIDD) Extraordinary Conservation Intentionally Created Surplus (ICS)

Land Fallowing Program

ICS Category: 2.1 A - Extraordinary Conservation ICS - Fallowing of land.

Term: 2019 through 2026

Project Description: Mohave Valley Irrigation and Drainage District (MVIDD) is an irrigation district formed under Title 48, Ch. 19, Arizona Revised Statutes. MVIDD holds a contract with the United States Bureau of Reclamation (USBR) issued under Section 5 of the Boulder Canyon Project Act of 1928, (USBR Contract No. 14-06-W-204) in the amount of 41,000 acre feet annually, and also holds a supplemental contract for use of Colorado River water through the Mohave County Water Authority (Contract No. 09-101) in the amount of 1,250 acre feet annually. MVIDD's exterior boundaries include lands that are part of the Fort Mohave Indian Reservation. MVIDD does not deliver water to those lands. All references to MVIDD and MVIDD water use described here are solely for non-Indian lands within MVIDD.

This project will conserve water by reducing the consumptive use of Colorado River water within MVIDD by fallowing MVIDD agricultural lands with a recent history of irrigation. The program is intended to coordinate with the State of Arizona's Drought Contingency Planning program (DCP).

Annual ICS Creation Amount: The program will yield up to 10,000 acre-feet of conserved water per year.

Administration: MVIDD will undertake to administer the program at the local level, including preparation of necessary enrollment documents, scheduling of annual participation quantities, verification of compliance, impact mitigation, and overall reporting to USBR.

MVIDD will obtain necessary permission to lock out any gates for participating fields as needed. In the case of shared gates, a physical obstruction will separate the fallowed fields and prevent delivery of water.

Enrollment: The fallowing program participants will consist of owners of agricultural land within MVIDD. An enrollment process will be created whereby participating farmers will

voluntarily agree to limit planting of crops on land that has been verified as actively cultivated (or enrolled and fallowed} in the last 3 of the last 5 years. To make participation equitably available, the minimum number of acres will be small, approximately 10-15 acres. Only ½ (50%) of enrolled lands will be eligible for fallowing in any year, and requirements will be imposed to require rotation of planted crops among the enrolled acres at least every three years. Enrollment will remain open, allowing lands to enroll or de-enroll during the program.

Quantification Methodology: Conserved water yield for fallowed fields will be based on a study of consumptive use of crops planted on the agricultural lands enrolled in the program averaged over three of the last five year's water use and crop history, after eliminating the high and low year.

Once identified, enrolled field locations will be assigned a consumptive use value based on the average identified above. When those fields are rotationally fallowed, the consumptive use value of the water not delivered shall be reported as conserved water throughout the term.

All fields within MVIDD have metered water delivery systems, and those systems will be checked and verified by MVIDD during the year to insure that water is not delivered to any farm in excess of the water allocated to the non-fallowed portion of the farm.

Verification Methodology: MVIDD staff will monitor fields throughout the year to verify water is not being used on fallowed lands. In addition to MVIDD verification, USBR may conduct an independent annual verification. MVIDD will also monitor total water use within each farm to insure that remaining water use allocation for the enrolled but not rotationally fallowed lands has not been exceeded.

Limitations on the ICS Creation Amount: To provide assurance that water conserved by active fallowing of agricultural lands will result in a reduction of agricultural consumptive use within MVIDD, MVIDD will administer the following safeguards:

- During the term of the program, there shall be no net increase of agricultural water entitlements within MVIDD.
- Any land enrolled in the program will not be allowed to “overrun” any agricultural water entitlement remaining on the non-fallowed land.

Certification: MVIDD will submit an ICS Certification Report as required by Section XI.G.3.D.1 of the 2007 Colorado River Interim Guidelines, reporting the amount of ICS created under this Exhibit and that the creation was consistent with an approved ICS Plan, this Exhibit, and a Delivery Agreement.

MVIDD acknowledges that, in accordance with Section 2.5.B of the Forbearance Agreement, the Secretary shall verify information in a Certification Report in consultation with the Lower Division States, and provide a final written decision to the Parties.

Delivery: MVIDD shall, if required, enter into a separate delivery agreement for ICS consistent with Article XI.B of the 2007 Colorado River Interim Guidelines.

Approvals:

In Witness of this Exhibit XX to the Forbearance Agreement executed contemporaneously herewith the Parties affix their official signatures below, acknowledging approval of this document on the XX day of XX.

Mohave Valley Irrigation & Drainage District

By: _____

Charles B. Sherrill Jr., Chairman

Attest: _____

Perry Muscelli, Secretary

Approved as to Form:

Michael J. Pearce, District Counsel