

**EXECUTIVE DIRECTOR'S MONTHLY REPORT
TO THE
COLORADO RIVER BOARD OF CALIFORNIA**

June 14, 2005

ADMINISTRATION

Fiscal Year 2005-2006 Budget for the Colorado River Board of California

As we have discussed at previous Board meetings, on March 30, 2005, the Assembly Subcommittee No. 3 on Natural Resources and Environmental Protection included the Colorado River Board's fiscal year 2005-2006 budget on the consent calendar, which was approved as proposed. The Board's FY 2005-06 budget, which is funded 100 percent from reimbursements, totals \$1,237,000.

On the Senate side, the Board's FY 2005-06 budget was heard by the Senate Subcommittee No. 2 on Resources, Environmental Protection and Energy on April 25, 2005. There were no issues associated with the Board's proposed budget. As an informational item, the Subcommittee staff included a short write-up on the Lower Colorado River Multi-Species Conservation Program. Subcommittee No. 2 also approved the Board's budget as proposed.

Included in the Board's handout material is a copy of the Board's proposed FY 2005-06 Budget and Standard Agreement No. 38 for the Board member's approval.

Resolution Honoring New Mexico's Phillip B. Mutz

The Board has been advised that Phil Mutz, the Interstate Stream Commissioner for the New Mexico Interstate Streams Commission, is planning to retire by the end of June or when the Governor of New Mexico appoints a replacement. Mr. Mutz has been actively involved in the Colorado River Basin states discussions and served the citizens of the State of New Mexico for more than 30 years. A draft resolution acknowledging Board's appreciation for his contributions toward reaching resolution of various Colorado River issues will be available for the Board's consideration at its July meeting.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

As of June 1, 2005, storage in the major Upper Basin reservoirs increased by 2,371,200 acre-feet and storage in the Lower Basin reservoirs decreased by 262,100 acre-feet during May. Total System active storage as of June 9th was 34.471 million acre-feet (maf) or 58 percent of capacity, which is 2.870 maf more than one year ago.

May releases from Hoover, Davis, and Parker Dams averaged 16,390, 15,580 and 11,270 cubic feet per second (cfs), respectively. Planned releases from those three dams for the month of June 2005 are 14,700, 14,600, and 11,200 cfs, respectively. The June releases represent those needed to meet downstream water requirements.

As of June 9th, taking into account both measured and unmeasured return flows, the Lower Division States' consumptive use of Colorado River water for calendar year 2005, as forecasted by Reclamation, totals 7.021 maf and is described as follows: Arizona, 2.530 maf; California, 4.215 maf; and Nevada, 0.276 maf. The Central Arizona Project (CAP) will divert 1.401 maf, of which 0.129 maf are planned to be delivered to the Arizona Water Bank. The Metropolitan Water District of Southern California (MWD) will use about 0.602 maf, which is 148,000 acre-feet less than its 2004 predicted use of mainstream water.

The preliminary end-of-year estimate by the Board staff for 2005 California agricultural consumptive use of Colorado River water under the first three priorities and the sixth priority of the 1931 *California Seven Party Agreement* is 3.589 maf. This estimate, by Board staff, is based on the collective use through April 2005 by the Palo Verde Irrigation District, the Yuma Project-Reservation Division (YPRD), the Imperial Irrigation District, and the Coachella Valley Water District. Figure 1, found at the end of this report, depicts the historic projected end-of-year agricultural use for the year.

Colorado River Operations

Nomination of Mark A. Limbaugh as Assistant Secretary of the Interior for Water and Science

On May 10th, the President announced his intention to nominate Mark A. Limbaugh to serve as Assistant Secretary of the Interior for Water and Science. Mr. Limbaugh currently serves as Reclamation's Deputy Commissioner, a position he assumed in 2002. Mr. Limbaugh will be filling the position vacated by Bennett Raley in late-2004.

2005 Annual Operating Plan Mid-Year Review

For your information, a copy of the letter from the Secretary of the Interior to Governor Schwarzenegger regarding her determinations related to the mid-year review of the 2005 Annual Operating Plan (AOP) has been included in the Board folder. As was discussed at the May Board meeting, the Secretary's intention is to release the minimum objective 8.25 million acre-feet from Glen Canyon Dam. Additionally, the Secretary's letter identifies the process to be undertaken by the Department of the Interior in addressing the development of shortage guidelines, and conjunctive management of Lake Powell and Mead (a further discussion of this is included in the section titled, "Basin States Discussions."

2006 Annual Operating Plan Development

Included in the Board folder is a copy of the draft 2006 AOP for your review and information. The Basin States and Reclamation recently held a meeting in Las Vegas, Nevada to initiate development of the 2006 AOP. Based upon current and projected hydrologic conditions within the Colorado River Basin, Reclamation anticipates that 2006 will result in a “Normal” declaration regarding the releases from Hoover Dam. Additionally, Reclamation and the Basin States are discussing potential language that could be included in the 2006 AOP associated with a mid-year review of the releases from Glen Canyon Dam.

Southern Nevada Water Authority Notification of Availability of 2005 Unused Apportionment

As we discussed last month, the Southern Nevada Water Authority (SNWA) anticipates that not all of Nevada’s 300,000 acre-foot (af) basic apportionment will be utilized in 2005. Consequently, SNWA anticipates that approximately 15,000 acre-feet to 25,000 acre-feet will be stored by The Metropolitan Water District of Southern California, pursuant to the existing SNWA Storage and Interstate Release Agreement (SIRA). A copy of Reclamation’s letter, of May 3rd, acknowledging SNWA’s intention to provide 15,000 acre-feet of mainstream water to MWD pursuant to the SIRA is provided in the Board folder. Additionally, included in the Board folder is a copy of MWD’s letter requesting an extension of 30-days in order to determine if MWD has the ability to store the full requested amount of water.

Revised Schedule of Calendar Year 2005 Mexican Water Deliveries

On May 2, 2005, Mexico requested a modification of the 2005 monthly schedule of water deliveries pursuant to the 1944 Water Treaty. Mexico has requested a decrease in the amount of water delivered in June 2005, and an increase in the amount delivered in December 2005. Included in the Board folder is a copy of Reclamation’s letter, dated May 6th, to the American Section of the International Boundary and Water Commission (IBWC) and the proposed revised water delivery schedule.

Remarks of Reclamation Commissioner John W. Keys, III – May 19, 2005

For your information, I have included a copy of Commissioner Keys’ remarks at a recent Law of the Colorado River conference held in Las Vegas, Nevada, on May 19th. Commissioner Keys discussed the recent progress related to various Colorado River issues and programs. The Commissioner focused much of his remarks on the recent efforts to develop shortage guidelines, management of the reservoir system, and the current hydrologic conditions in the Basin.

Draft California Water Plan Update Public Hearings Schedule

Included in the Board folder is a copy of the schedule of public hearings associated with the California Department of Water Resources release, for review and comment, of the draft California Water Plan Update. The draft plan documents can be viewed and downloaded for review at the Department's internet webpage at www.waterplan.water.ca.gov/cwpu2005/index.cfm.

All-American Canal Lining Project

In conjunction with the ongoing effort to line portions of the All-American Canal (AAC) and conserve additional mainstream water supplies, there are several issues that I want to bring to your attention. These include the following: (1) an environmental assessment prepared by American and Mexican conservation organizations; (2) 60-day notice of intent to sue by a citizens group in the Imperial Valley; and (3) 60-day notice of intent to sue by two non-profit organizations, one in Mexico and the other in California.

First, included in the Board folder is a copy of an environmental assessment of the canal-lining project prepared by the Sonoran Institute and Pronatura for the Baja California state government. In this report, the conservation organizations allege that the canal-lining project will destroy a 4,750 acre wetland complex known as the Andrade Mesa Wetlands. This wetland complex contains approximately 525 acres of marsh, 164 acres of arrowweed and saltcedar, and just over 4,000 acres of riparian habitat (e.g., cottonwood-willow and mesquite). The report further states that the United States should be required to prepare a supplemental environmental impact statement (EIS) to update the report prepared by Reclamation in 1994. The report also suggests that the United States should provide approximately 2,100 acres of marsh and riparian habitat mitigation to offset the potential impacts to the Andrade Mesa Wetlands.

Second, an Imperial Valley non-profit organization, Desert Citizens Against Pollution (DCAP), submitted a 60-day notice of intent to sue letter to the Department of the Interior regarding the AAC canal-lining project. In the letter, DCAP alleges that the Department of the Interior (DOI) should prepare a supplemental EIS, pursuant to NEPA; that the proposed project would destroy wetlands in the United States and Mexico; the project would negatively impact federally- and state-listed endangered species; the proposed project would violate the terms of the Migratory Bird Treaty Act; and violate the terms of the federal Clean Water and Clean Air Acts. A copy of DCAP's 60-day notice of intent to sue is included in the Board folder.

Finally, on May 17th, a similar 60-day notice letter was jointly submitted by two non-profit organizations, one from Mexico and the other from California. The letter submitted by Cosejo de Desarrollo Economico de Mexicali (CDEM) in Mexico and Citizens United for Resources and the Environment (CURE) in California, identifies most, if not all, of the allegations identified in DCAP's notice of intent to sue. In addition, the CDEM/CURE letter focuses attention on the potential negative impacts to the Andrade Mesa Wetland complex and the endangered species occupying those habitats

(i.e., Yuma clapper rail, California black rail, etc.). A copy of the CDEM/CURE 60-day notice is included in the Board folder.

On June 6th, the San Diego Union Tribune newspaper ran an article detailing the issues associated with the AAC canal-lining project and the concerns of the environmental and conservation organizations in the United States and Mexico. A copy of this article has been included in the Board folder for your review and information.

Finally, in a quasi-related topic, the IBWC recently announced the reappointment of members of the Colorado River Citizens' Forum and its meeting in Yuma, Arizona on May 12th. At the meeting IBWC was expected to brief the Forum about flood protection along the Lower Colorado River in the Yuma area. A copy of the article from the Yuma Sun newspaper is included in the Board folder.

Basin States Discussions

Because of the low reservoir conditions and the possibility of a continuation of the drought, the Upper Division states requested that the 2005 Annual Operating Plan for the Colorado River System Reservoirs (2005 AOP) contain a provision for a mid-year review of the releases from Glen Canyon Dam. In the interest of interstate comity and to further the discussions among the seven Colorado River Basin states regarding management of the Colorado River reservoir system under low reservoir and drought conditions, the Lower Division states agreed to include this provision in the 2005 AOP. This was the first time that an annual operating plan for the Colorado River System reservoirs provided for a mid-year review of the releases from Glen Canyon Dam.

During 2005, representatives from the Basin states continued the discussions that began in 2004 to: 1) conduct and analyze model studies of possible future water supply conditions and identify the impact that those conditions may have on the reservoir system storage and the ability of the system reservoirs to meet future water supply demands, 2) identify potential projects, programs, and actions that could be implemented to avoid, or at least reduce, the impacts associated with drought and shortage conditions, 3) analyze possible conjunctive management of the storage of water contained in Lakes Powell and Mead, and 4) discuss possible parameters and criteria for shortage determinations and the distribution of shortages within the Basin.

Efforts to obtain consensus on the management of the reservoir system under low reservoir and drought conditions, to date, have been unsuccessful. In part, I believe, that this can be attributed to: 1) differing positions on what the releases from Glen Canyon Dam should be, especially as they related to the 2005 mid-year review, and the lack of consistent management objectives for the operation of Lakes Powell and Mead in the future. Based upon this lack of consensus among the Colorado River Basin states, individual letters from both the Upper Division and Lower Division states were sent to Secretary Norton commenting on the desire to modify the releases from Glen Canyon Dam during the 2005 AOP mid-year review. Generally, the letter from the Upper Division states indicated that: 1) there is not an obligation for the Upper Basin to deliver

8.23 maf annually to the Lower Basin from Glen Canyon Dam; 2) the hydrologic conditions, this year, warrant a delivery of less than 8.23 maf from Glen Canyon Dam; and 3) the Secretary should hold as much mainstream water as possible in the Upper Basin reservoir system. The letter from the Lower Division states indicated that: 1) a reduction in the releases from Glen Canyon Dam would undercut the current efforts among the Basin states to address operation of the reservoir system under low runoff and reservoir conditions; 2) current hydrologic conditions do not warrant a reduction of the scheduled releases; and 3) the 1970 Criteria for Coordinated Long-Range Operation of Colorado River (LROC) do not allow an annual release of less than 8.23 maf from Glen Canyon Dam.

After reviewing the comments that were received from the Basin states and others, Secretary Norton, in her letter of May 2, 2005, indicated that because of the improved conditions on the Colorado River that a modification of the releases from Glen Canon Dam were not warranted. However, she indicated that the Department of the Interior has the authority in this, and future annual operation plans, to modify the releases from Glen Canyon Dam to have releases of less than 8.23 maf. Secretary Norton further indicated that the Department of the Interior would propose a mid-year review of the releases from Glen Canyon Dam in the 2006 Annual Operating Plan for the Colorado River System Reservoirs (2006 AOP).

In her May 2nd letter, Secretary Norton also directed Reclamation to convene the Colorado River Management Work Group by May 31, 2005, to discuss the most appropriate processes and mechanisms to address the challenges associated with operation of the reservoir system under drought conditions. Based upon those discussions, the Department of the Interior will issue a *Federal Register* notice by June 15th to address, at a minimum: 1) development of Lower Basin Shortage Guidelines and 2) development of Conjunctive Management Guidelines for Lake Powell and Lake Mead. The meeting of the Colorado River Management Work Group was held on May 26th. Secretary Norton anticipates that this will be a two year public process that will be completed by December 31, 2007.

Proposed Solution to the Yuma Desalting Plant/Cienega de Santa Clara Controversy

Included in the Board folder for your information is a copy of an executive summary of a discussion paper prepared by the Yuma Desalting Plant Issues Workgroup. The workgroup was created at the invitation of the Central Arizona Water Conservation District (CAWCD) to develop solutions related to potential operation of the Yuma Desalting Plant and impacts to the Cienega de Santa Clara in Mexico. The workgroup developed several short- and long-term recommendations for consideration. Some of these recommendations include the following:

- Utilization of Yuma area excess groundwater to meet Mexican Treaty obligations;
- Create a “shortage alleviation contingency fund” to mitigate water supply disruption impacts;

- Implement a basin-wide consumptive use and forbearance program, based on voluntary and temporary land fallowing;
- Fund and take necessary actions to operate the Yuma Desalting Plant (YDP);
- Implement a monitoring and research program at the Cienega de Santa Clara;
- Implement a program to reduce the over-delivery of water to Mexico related to changes in water orders, resulting in better management of releases from upstream facilities; and
- Evaluate the utilization of YDP product water for municipal and industrial uses in the United States and Mexico.

Finally, the report makes some recommendations related to the public process that should be put into place to evaluate and finalize the proposed recommendations. The workgroup recognized the diversity among stakeholders associated with these issues and recommends that Reclamation initiate discussions with the Basin States, Mexico, and other stakeholders related to the proposal.

State of Colorado House Joint Resolution Regarding Protection of the Interests of the Upper Basin States

The Colorado Legislature recently enacted a joint resolution calling for the reduction in water deliveries from Lake Powell in Water Year 2005, based upon the current and projected hydrologic conditions. Additionally, the joint resolution calls for the timely development of shortage criteria related to the operation of Lower Basin facilities. A copy of the joint resolution is included in the Board folder.

Colorado River Environmental Activities

Status of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP)

The first scheduled meeting of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) Steering Committee, associated with Program implementation, occurred on May 13th in Las Vegas, Nevada. The members were welcomed by Reclamation staff responsible for implementing the long-term program. Additionally, it was formally announced at the meeting that Ms. Lorri Gray, currently the Deputy Regional Director, will assume the role of LCR MSCP Program Administrator. Ms. Gray and her staff will have the primary responsibility of implementation of the long-term LCR MSCP and working with members of the Steering Committee in identifying work plans and associated annual budgets. During the meeting Mr. Jerry Zimmerman was selected to serve as the chairperson of the Steering Committee and Mr. George Caan of the Colorado River Commission of Nevada was selected to serve as the vice-chairperson.

The signature pages for the LCR MSCP program funding and implementation agreements executed at the signing ceremony on April 4th are continuing to be collected and compiled by Reclamation. When all of the signature pages have been collected, signed originals and electronic copies will be distributed to each of the federal and non-

federal participating agencies or entities. The final executed CESA incidental take permit will also be distributed upon receipt of the City of Los Angeles' signature pages. It is my understanding that the City Council has authorized execution and signature of all of the relevant LCR MSCP agreements, including the CESA 2081 permit.

The non-federal LCR MSCP participants continue to work on developing draft federal legislation associated with long-term implementation of the LCR MSCP. This legislation would focus on the following key concepts: (1) Congressional authorization of federal agency participation in LCR MSCP implementation; (2) authorize appropriations to Reclamation related to Program implementation; and (3) address relevant LCR MSCP mainstream water use and Decree accounting requirements. It is anticipated that a more formal review draft of the proposed legislation will be available for the Board members at the July meeting.

Comments Related to the Designation of Critical Habitat for the Southwestern Willow Flycatcher

The Board submitted comments on the proposed designation of critical habitat for the Southwestern willow flycatcher to the U.S. Fish and Wildlife Service (USFWS) on May 25th. The Board's comments were based upon staff attendance at several public meetings, review of biological documents, and the review of the economic analysis documents prepared by the USFWS. The Board's comments focused on exclusion of critical habitat within operational limits of Lake Mead, and the exclusion of critical habitat within the planning area of the LCR MSCP. A copy of the Board's comment letter is included for your information.

White House Conference on Cooperative Conservation, St. Louis, Missouri, August 29-31, 2005

The White House Council on Environmental Quality (CEQ) is convening a conference on Cooperative Conservation in late-August in St. Louis, Missouri. The Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency are co-hosting the conference. The LCR MSCP has been selected as one of the case studies to be presented at the conference. The LCR MSCP presentation is likely to include an overview of the processes utilized in developing the program, the interests of the various stakeholders, and discussion of the long-term implementation strategy. CEQ wants to ensure that the presentation highlights how the federal and non-federal participants utilized cooperation and communication in developing the LCR MSCP Conservation Plan.

Assembly Bill 1466

As we have discussed at previous Board meetings, Assembly Member Laird introduced proposed legislation to develop a program to control or eradicate saltcedar in the Colorado River watershed. The proposed legislation has successfully passed out of the Assembly and is now in the Senate. The proposed legislation continues to require the

California Department of Water Resources, in collaboration with the Departments of Food and Agriculture and Fish and Game, and Colorado River Board of California to develop a program to control or eradicate saltcedar in the Colorado River watershed. The agencies are to collaborate with other appropriate federal agencies and the Basin States. The proposed legislation also requires the re-establishment of native riparian vegetation where saltcedar is removed. Included in your hand-out materials is a copy of the most recent iteration of the proposed legislation. In a related vein, I am enclosing a copy of a very recent scientific journal article regarding saltcedar control and management.

Lower Colorado Water Supply Project

Project Status

The Board staff is continuing to receive new applications for LCWSP water and those applications for a property ownership change. Staff will present these applications to the Board for action at the next Board meeting in July.

LCWSP Stage II Appropriations – H.R. 2419

On May 18th, Mr. Hobson from the Committee on Appropriations in the House of Representatives introduced the bill, H.R. 2419, in Union Calendar No. 44 for the amendment of the Public Law 99-655, Lower Colorado Water Supply Act, which was enacted in 1986. This Act authorized and appropriated funds for the Reclamation to design and construct the Lower Colorado Water Supply Project (LCWSP) for the first stage providing pumping the exchange ground water up to 5,000 acre-feet per year. The total capacity authorized for the LCWSP is 10,000 acre-feet per year.

The bill, H.R. 2419, will make appropriations for water development for the fiscal year ending September 30, 2006. This bill amends the Act that authorizes the Secretary of the Interior to enter into agreements with the City of Needles and the Imperial Irrigation District for the design and construction of the second stage for the LCWSP after November 24, 2004 by authorizing the Secretary to complete the remaining Stage II of the LCWSP. The bill also provides an opportunity for additional persons or entities who hold Boulder Canyon Project Act Section 5 contracts for municipal and industrial uses within California to use of LCWSP water under such terms as the Secretary determines will benefit the interest of LCWSP users. One of the benefits is the advance delivery of LCWSP water due to an excess capacity in the earlier period of the LCWSP.

A copy of the bill, H.R. 2419, and the related portion of its Report No. 109-86 are included in the Board folder for your reference.

WATER QUALITY

Colorado River Basin Salinity Control Forum and Work Group Meetings

The Colorado River Basin Salinity Control Forum (Forum) and Work Group meetings were held from June 6, 2005, through June 8, 2005, in Grand Junction, Colorado. The agenda of the Work Group meeting on June 6th, included: 1) discussion of Federal Responses to Advisory Council Report; 2) 2005 Triennial Review report; 3) discussion on state cost share allocation; and 4) preparation of economic damage report.

On June 7th, Forum and Work Group members participated in a tour of area salinity control projects, which was very informative. At the Forum meeting the next day, there were numerous items on the Forum meeting agenda. The following are highlights of the main agenda items:

- IBWC Commissioner, Duran, who had been invited to the Forum meeting, presented a brief report on IBWC activities.
- Federal agencies (USDA, Reclamation, and BLM) provided a report to the Forum on their activities.
- States cost share allocations were discussed. The Forum approved Work Group's recommendations on allocations and procedures for allocation of the discretionary funds. The Work Group recommendations that a maximum of 10 percent be allocated to Wildlife only projects, a maximum of 20 percent be allocated to planning, a maximum of 20 percent be allocated to research projects, and a minimum of 50 percent be allocated to on-the-ground salinity control projects. Also, Work Group recommended that all projects to be considered for planning, research and wildlife only be submitted annually to the Work Group by mid December. The Work Group then would consider those projects at its first meeting of the following year. At the same meeting, on-the-ground projects will be discussed but the allocation of funds would not be made until the next meeting of the Work Group.
- Adoption of the 2005 Triennial Review report was the main Forum agenda item. The Forum approved the draft 2005 Triennial Review as presented by the Work Group. Also, the Forum approved Work Group's recommendation on the issue of the public meetings on the draft 2005 Review. The Work Group recommended that instead of having the two traditional public meeting (one in the Upper Basin and one in the lower Basin), a press release or an announcement of availability of the final draft 2005 Triennial Review report be made in early July and request written comments prior to the Forum's Fall meeting.

- The Forum instructed the Work Group to begin preparation of a salinity control needs report and provide a draft or at least the basic concepts paper to the Forum at its Fall meeting.

At the meeting it was determined that the Fall Forum meeting would be in California in late October or early November. The location and the dates are yet to be determined. Since it is desired to have a day-long (or half-day) tour of a salinity control related project, the location should be chosen to possibly accommodate for a tour.

PG&E Topock Gas Compressor Station Site

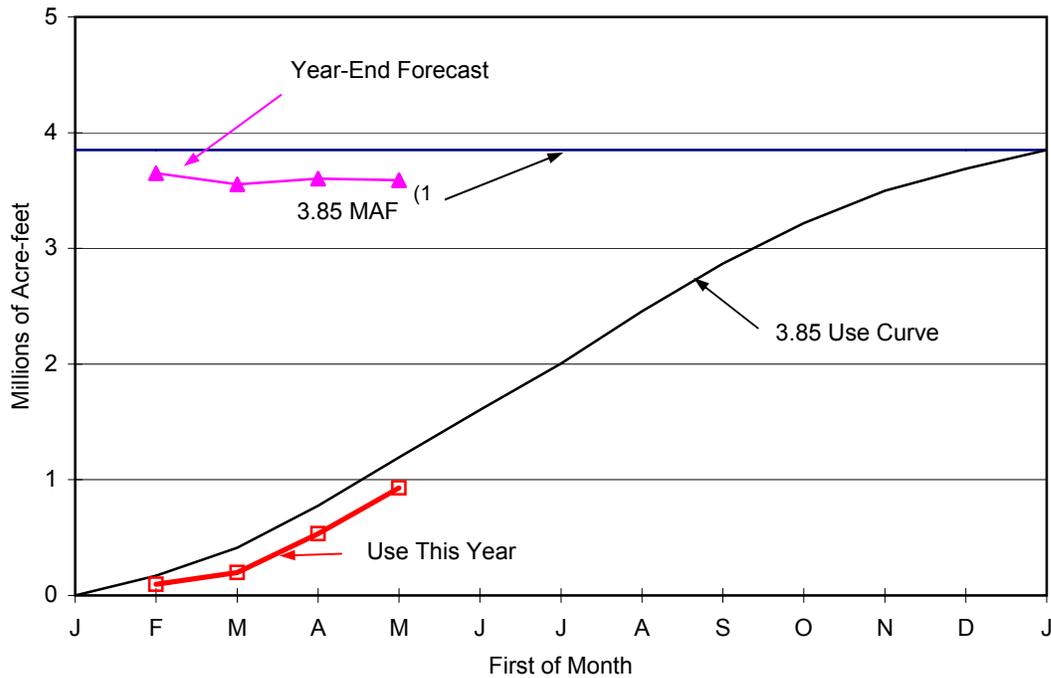
As I have reported at previous Board meetings, both California and Arizona are continuing to conduct studies regarding whether the Chromium VI contamination plume has migrated below the main channel of the Colorado River into Arizona.

Included in the Board folder is a copy of Department of Toxic Substances Control's (DTSC) letter dated May 12th and addressed to Arizona Department of Environmental Quality (ADEQ). In that letter DTSC committed to enhanced monitoring of possible Chromium VI contamination and completing the delineation of the extent of contamination plume. DTSC is willing to share the investigation results with ADEQ and suggests that Arizona investigations include the historic regional uses of Chromium as well as naturally occurred background levels of hexavalent Chromium present in that region.

Also, in the letter, DTSC also expressed its belief that the likelihood of migration of the hexavalent Chromium plume into Arizona was low, based upon groundwater flow and local geological conditions from the extensive site investigations conducted by California to date at the PG&E Topock site.


Gerald R. Zimmerman
Executive Director

FIGURE 1
JUNE 1 FORECAST FOR 2005 YEAR-END COLORADO RIVER WATER USE
BY THE CALIFORNIA AGRICULTURAL AGENCIES



Forecast of Colorado River Water Use by the California Agricultural Agencies (Millions of Acre-feet)			
Month	Use as of First of Month	Forecast of Year End Use	Forecast of Unused Water (1)
Jan	0.000	-----	-----
Feb	0.097	3.650	0.056
Mar	0.199	3.554	0.152
Apr	0.533	3.604	0.102
May	0.929	3.589	0.117
Jun			
Jul			
Aug			
Sep			
Oct			
Nov			
Dec			
Jan			

(1) The forecast of unused water is based on the availability of 3.713 MAF under the first three priorities of the water delivery contracts. This accounts for the 101,900 acre-feet of conserved water available to MWD during 2004 in accordance with the 1988 IID-MWD Conservation Agreement and the 1989 IID-MWD-CVWD-PVID Agreement, as amended; and 35,000 AF of conserved water available to SDCWA in accordance with the IID-SDCWA Transfer Agreement, as amended. As USBR is charging disputed uses by Yuma Island pumpers to priority 2, the amount of unused water has been reduced by those uses -- 0.007 maf. The CRB does not concur with the USBR's viewpoint on this matter.