#### University of Colorado Law School

#### **Colorado Law Scholarly Commons**

Evolving Regional Frameworks for Ag-to-Urban Water Transfers (December 11)

2008

12-11-2008

#### SLIDES: PVID/MWD Land Management, Crop Rotation and Water Supply Program

Ed Smith

Follow this and additional works at: https://scholar.law.colorado.edu/evolving-regional-frameworks-forag-to-urban-water-transfers

Part of the Agriculture Law Commons, Climate Commons, Contracts Commons, Hydrology Commons, Law and Economics Commons, Marketing Commons, Natural Resource Economics Commons, Natural Resources and Conservation Commons, Natural Resources Law Commons, Natural Resources Management and Policy Commons, Property Law and Real Estate Commons, State and Local Government Law Commons, Urban Studies and Planning Commons, Water Law Commons, and the Water Resource Management Commons

#### **Citation Information**

Smith, Ed, "SLIDES: PVID/MWD Land Management, Crop Rotation and Water Supply Program" (2008). *Evolving Regional Frameworks for Ag-to-Urban Water Transfers (December 11).* https://scholar.law.colorado.edu/evolving-regional-frameworks-for-ag-to-urban-water-transfers/4

Reproduced with permission of the Getches-Wilkinson Center for Natural Resources, Energy, and the Environment (formerly the Natural Resources Law Center) at the University of Colorado Law School.

#### **PVID/MWD Land Management, Crop Rotation and Water Supply Program**

## Ceneral Manager Palo Verde Irrigation

Distric

#### **PVID HISTORY**

- 1877 Thomas Blythe made first filings on Colorado River water in California.
- 1923 Palo Verde Irrigation Dist. Act was Passed.
- 1931 Seven Party Agreement Gives PVID Unquantified 1<sup>st</sup> Priority Water Rights for use on 104,500 acres.

## **PVID GOVERNANCE**

Seven Person Board.

 Votes Based on Assessed Valuation of Land.

#### METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

- Consortium of 26 Cities and Water Agencies.
- 6 Counties; 5200 square miles.
- Serve over 18 million people.
- Regional Economy: \$700 Billion.
- Supplies 60% of Southern California's Water Supply.



#### LAW of the RIVER

1922 - Colorado River Compact. 1928 - Boulder Canyon Project Act. 1929 - Ca. Limitation Act. 1931 - Ca. Seven Party Agreement. 1944 - Mexican Water Treaty Agreement. 1964 - Az. vs. Ca. Supreme Court Decree. 1968 – Colorado River Basin Project Act. • 2003 – Quantification Settlement Agreement

## SEVEN PARTY AGREEMENT

Priorities	M	4F
1. PVID (104,500 acres)	and and	
2. Yuma Project (25,000 Acres)		
3. (a) IID/CVWD		
(b) PVID MESA (16,000 acres)		
Subtotal	3.8	350
4. MWD	0.5	550
Subtotal	4.4	40
5. MWD	0.6	62
Total	5.0	062
6. IID/CVWD/PVID	0.3	00
7. Agricultural Use	Al	Remaining

#### QSA

IID (3a) 3,100,000 Ac. Ft.
CVWD (3a) 330,000 Ac. Ft.
<u>MWD (4) 550,000 Ac. F</u>
(4,400,000-) 3,980,000 (=420,000)

 PVID, Yuma Project, PVID Mesa remain Unquantified

 MWD assumes losses or gains from unquantified parties based on 420,000 Ac.
 Ft. Cumulative usage

#### IID and CVWD Waiver

 Under the October 10, 2003 approved Quantification Settlement Agreement, MWD can acquire Colorado River water from PVID without objections by IID and/or CVWD.

#### Program Objectives

- Develop up to 111,000 af/yr flexible and reliable water supply for a 35-year term.
- Help stabilize farm economy in the Palo Verde Valley, and further buttress the \$800 billion economy of Southern California.
- Provide funds for specific community improvement programs.
- Support implementation of the California Plan.

#### **Program Elements**

- Program agreement between MWD and PVID.
- Landowner Agreements between MWD, PVID and Landowners.
- Funding for Palo Verde Community Improvement Board.

### How the Program Works

Voluntary Participation.

- 6,000 to 26,500 acres of Priority 1 lands fallowed every year District wide.
- 7% minimum fallowing.
- 29% District (35% individual landowner) maximum fallowing.
- Depends on participation level and MWD call.

#### Fallowing Calls

 MWD must make a fallowing call by August 1<sup>st</sup> one year in advance.
 Fallowing call is for a 2 year period.
 Fall-back call is minimum acreage (7%).

#### Payments to Landowners

Sign-up Payment.

- One time payment of \$3,170 per encumbered acre.
- Paid over 2 to 5 years per landowner's option.
- First installment paid upon signup.

#### **Annual Payment**

\$602 per non-irrigated acre for first year.
Annual escalation for first 10 years: 2.5%.
Annual escalation for remaining 25 years: CPI-subject to a 2.5% minimum and 5% maximum.

## Cash Flow to a 100 Acre Farm

Sign-up payment

100 acres x 0.29 x \$3170 = \$91,930

Annual Payment would range

From:
Base load water supply developed (7%)
100 acres x 0.07 x \$602/acre = \$4,124/yr
To:

-Maximum water supply developed (29%) 100 acres x 0.29 x \$602/acre = \$17,458/yr

#### Landowner Responsibilities

- Allow a fallowing easement on 29% of farm.
- Fallow lands as per MWD's call.
  Implement Land Management Plans.
  Provide Program related data.
- Pay PVID water toll and taxes.

## Community Improvement Program (CIP)

- A 9-member Ad-Hoc Committee formed in January 2002
- A cross section of local business and community leaders

- PVID, MWD, City of Blythe, Chamber of Commerce, Rotary, Hospital, Community College, and various local business leaders.

#### **Objective of Ad-Hoc Committee**

 Formation of Community Improvement Fund Board (Board)
 Duties of Board:

 Manage funds provided by MWD
 Develop a Regional Business Plan
 Develop a Local Business Plan

#### Payments to Community

Community

- \$6 Million for community improvement programs.
- Assistance by MWD to community in hiring consultant to finalize Board formation and development of business plans.

#### **Community Improvement Programs**

Assess effectiveness every five years.

 Any additional funding requires board approval.

#### **Board Actions**

- July 2001 PVID and MWD Boards approved principles of agreement.
- Sept. 2002- PVID Board certified EIR.
- Oct. 2002 MWD Board approved revised principles of agreement and appropriated funds for program.
   May 2004 – MWD Board approved revised principles of agreement and increased appropriated funds for program.

#### Schedule

 July 2004 - Enter into PVID/MWD agreement. August 2004 - Enter into agreements with landowners. January 1, 2005 - Begin Interim Program August 1, 2005 - Full implementation start date

#### Previous Programs

1992-1994 PVID/MWD Test Fallowing. \$620/acre/Year
2003 PVID/CVWD Short-Term Program. \$750/acre/Half Year

# Web Site

## PVID.org