

**Supporting Statement for Paperwork Reduction Act Submissions**

**DIVERSIONS, RETURN FLOWS, AND CONSUMPTIVE USE OF  
COLORADO RIVER WATER IN THE LOWER COLORADO RIVER BASIN  
CURRENT OMB APPROVAL NO. 1006-0015  
August 31, 2009**

**Terms of Clearance: None**

**General Instructions**

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. OMB reserves the right to require the submission of additional information with respect to any request for approval.

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collections of information.**

The Secretary of the Interior (Secretary) manages and operates Federal projects in the lower portion of the Colorado River system (Lower Basin) and controls the distribution of waters from the Colorado River in the Lower Basin. The Boulder Canyon Project Act (BCPA) dated December 21, 1928 (45 Stat. 1057, 43 U.S.C. 617) and other related actions apportioned Colorado River water among the States of Arizona, California, and Nevada (Lower Division States). The Supreme Court, in its opinion of June 3, 1963 (373 U.S. 546), and decree entered March 9, 1964 (376 U.S. 340), as amended by the Consolidated Decree of the Supreme Court of the United States, in the case of *Arizona v. California, et al.*, entered March 27, 2006, (547 U.S. 150 (2006)) (Consolidated Decree) concluded that the Congress intended the Secretary to determine, through contracts entered into by the Secretary pursuant to section 5 of the BCPA, which users within each State would get water and under what terms.

The BCPA requires all water users to enter into contracts with the Secretary. Specific Federal establishments named in article II (D) of the Consolidated Decree are excused from this requirement. The Court ordered the United States to prepare and maintain complete, detailed, and accurate records of diversions of water, return flow, and consumptive use. This information is needed to ensure that a State or a water user within a Lower Division State does not exceed its

authorized use of Colorado River water. Water users are obligated by their water delivery contracts to schedule water diversions in advance, to maintain records of annual diversions and return flow to the river, and to periodically report this information to Reclamation. Reclamation determines the consumptive use by subtracting return flow from diversions or by other engineering means. Failure to collect this information would make it impossible for Reclamation to account for the amount of Colorado River water use and could lead to excess Colorado River water use by an individual water user, a Lower Division State, or the Lower Basin. Excess use would be in violation of Federal law, interstate compacts, an international treaty with Mexico, and water use contracts. Without this information, Reclamation could not comply with the order of the Supreme Court to prepare and maintain detailed and accurate records of diversions, return flow of water to the Colorado River, and consumptive use.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]**

This collection is a form (LC-72, LC-72A, and LC-72B). Form LC-72 is for water diverted from Lake Mead and/or the Colorado River for use in the State of Nevada and asks for identification of meter location, meter reading at the beginning of the period and the end of period, the difference between the beginning and end, and the conversion to acre-feet. Form LC-72A is for diversions of Colorado River water and return flow for municipal, industrial, and domestic uses and asks for reported diversion from river intakes and wells by month, reported return flow amounts for metered flows and estimated flows, and if return flows are estimated the method used, and new points of diversion. Form LC-72B is for diversions of Colorado River water for municipal, industrial, and domestic uses and also includes the fee information for the diversions and asks for the same information as LC-72A, but also the computation of charges due pursuant to the section of the contract. The forms are for the water user to record its water diversions by month and send it to Reclamation. The three forms record the same information which is being collected to prepare and maintain complete, detailed, and accurate records of diversions of Colorado River water, return flow to the river, and consumptive use.

The information will be used to help the Secretary manage the Colorado River in the Lower Basin by having the data necessary to determine that each water user is staying within its contract entitlement. The actual use we make of the information received from the collection each year is the annual report, *Compilation of Records in Accordance with Article V of the Consolidated Decree of the United States Supreme Court in Arizona v. California* (547 U.S. 150 (2006)). This annual report compiles all of the information received from each water user in accordance with Article V of the Consolidated Decree.

There is a finite amount of Colorado River water [7.5 million acre-feet (maf) annually during a normal water year] available for use within the Lower Basin. Each Lower Division State was apportioned a certain amount of Colorado River water for use within its State: 4.4 maf to California, 2.8 maf to Arizona, and 0.3 maf to Nevada. State apportionments are further allocated by rights set forth in the Consolidated Decree and contracts with the Secretary that

provide specific water entitlements to individual water users. If a Lower Division State does not consume all of its apportionment of Colorado River water in any year, the Secretary can make the unused water available for use by another Lower Division State during that same year. If there is less than a normal year's water supply available, the Secretary must deliver the available water pursuant to the priorities recognized under the Consolidated Decree and in accordance with the water delivery contracts.

Colorado River water users must schedule water deliveries in advance because the Consolidated Decree requires the Secretary to limit water releases to those quantities of water that are required for irrigation and domestic use in the States of Arizona, California, and Nevada. The information collected allows Reclamation, on behalf of the Secretary, to monitor and protect each water user's diversion of Colorado River water throughout the year to make sure a water user does not over schedule its legal contract entitlement. Reclamation may require an individual water user to reduce its diversions in any year if: (a) that water user would exceed its entitlement, (b) that water user's State would exceed its apportionment, or (c) the Lower Division States would collectively exceed the quantity of Colorado River water available for consumptive use by the Lower Division States in that year. If this information is not collected, Reclamation would likely be unable to prevent excess use of Colorado River water and put the Secretary at risk of litigation by legal water users whose rights would be harmed.

Many water users are municipalities, municipal water districts, irrigation districts, and water companies that supply water service to consumers for business, industrial, residential, or irrigation use. These entities are required by State regulatory agencies to provide dependable water supplies to their consumers. It is standard industry practice for a water supplier to compile extensive customer profiles for its customers water demands to be able to operate its water system to meet those demands. Each water supplier must know its customers projected water demands and assess its ability to meet those demands given system capacity limitations, water treatment requirements, and a limited water supply. A water supplier must keep records on water diversions and return flows to meet its own planning needs; this information is not compiled just to provide reports to Reclamation.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements].**

Reclamation is equipped to receive, and encourages water users to transmit, the information electronically. Most of the large water users already have automated systems to report this information to Reclamation. This information collection had electronic transaction capability in existence prior to October 31, 2000, when GPEA began, and it is considered complete under GPEA. We encourage electronic reporting, but not all respondents have electronic reporting capability. Reclamation will assist water users in establishing an automated reporting system when requested.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

Information on water diversions is available from several sources. There are approximately 172 water users in the Lower Basin. There are 54 entities that are required to report both diversions and return flows; this information is not available from any other source.

Of the remaining 118 water users, information is reported for them as follows:

- a. The United States Geological Survey (USGS) collects diversion information for approximately 100 water users. The vast majority of small water users pump Colorado River water from underground wells adjacent to the Colorado River. These water users are mostly individuals and small family-owned businesses who use water for irrigation of crops or for household use. Reclamation gets this information from USGS and is able to avoid collecting it from the water users.
- b. Sixty-eight water user organizations in central Arizona receive water service through Central Arizona Project (CAP) facilities operated on behalf of the United States by the Central Arizona Water Conservation District (CAWCD), a large water district that diverts water from the Colorado River and conveys it to the water users that are served through CAP facilities. CAWCD reports its diversions of Colorado River water to Reclamation on an automated basis, and the 68 water users are not required to report diversion and return flow information to Reclamation. The 68 water users that receive water service through CAP facilities are required to keep records and submit reports on various matters, including water supply, water use, and changes to project works. The reports are to be submitted in the form and on the dates required by Reclamation. However, this recordkeeping and information collection is separate from the need for information on annual diversions and return flow that is reported by CAWCD.
- c. Nevada water users, except for the City of Boulder City, National Park Service, and Reclamation, report annual diversions to both Reclamation and the State of Nevada's Colorado River Commission (CRC) on a form that is required and approved by CRC. Return flows for those Nevada water users that receive water through facilities operated by the Southern Nevada Water Authority (SNWA) are reported to Reclamation by CRC.
- d. Reclamation reports information on diversions and return flows for 18 water users that divert water in the vicinity of Yuma, Arizona.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The small entities from which information is collected are persons or legal entities that use Colorado River water for irrigation or domestic purposes. The information requested is limited to the quantities of (a) Colorado River water diverted from the Colorado River and (b) return flow to the river. Automated collection techniques are encouraged to reduce the burden, but if computer equipment is not available small entities may complete an annual written report which

is mailed to Reclamation. Some entities use a preprinted form that Reclamation provides as an example or suggestion and others have developed their own variation of Reclamation's form. Some entities state their total annual diversions in a letter. One large user, The Metropolitan Water District of Southern California (MWD), reports daily on an automated basis. Several other respondents use automated reporting methods and Reclamation encourages automated reporting, but most small users report annually.

Some water users are persons who pump water from wells for irrigation or domestic use. Those water users are primarily small entities and many of them use less than 1 acre-foot of water per year. An acre-foot of water (325,851 gallons) is the amount of water required to cover 1 acre 1 foot deep, and satisfies the water needs of an average family of four. Some of the irrigation water users have electric meters or hour meters that indicate the amount of time their pumps are operated and their amount of water use is calculated by the USGS or Reclamation based on the amount of energy or fuel needed to operate the pumps. There is no time or cost burden on these small users. The USGS and Reclamation report water use for more than 100 diversion points, including both irrigation and domestic users, at no time or cost burden to the water users.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If this information is not collected or is collected less frequently, the Secretary would lack the necessary data to prepare and maintain complete, detailed, and accurate records of diversions of water, return flow, and consumptive use. In addition to being in violation of the Court's order in the Consolidated Decree, the Secretary would not have the tools necessary to make water supplies available when and where needed or to monitor use of Colorado River water and protect the rights of legal water users. The Secretary would be unable to identify excess use or unauthorized use. If there is not sufficient Colorado River water for Reclamation to satisfy the contractual delivery obligation to an entitlement holder because of excess use by another entity, the United States is at risk of litigation and claims for damages by the water users who may have been prevented from diverting and using all the water to which they are legally entitled.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

**a. Requiring respondents to report information to the agency more often than quarterly.** Information is required periodically, as the Secretary deems necessary or advisable, to ensure that water users do not exceed their entitlements and to improve overall management and operation of the Colorado River system in the Lower Basin. The frequency of reporting varies according to the quantity of water used by the respondent and is intended to minimize the burden on the water user while giving Reclamation the needed information to fulfill the Secretary's obligations. About half the reporting entities, including the smallest water users, are required to report information annually. The other reporting entities are larger water users, consisting primarily of municipalities and water companies, and are required by their contracts

with the Secretary to report both monthly and annually. The newer contracts with requirements for monthly reporting give the Secretary some discretion to require a less-than-monthly reporting frequency. Some of the largest water users operate large water systems and have elaborate automated systems in place to monitor and control water deliveries on a real-time basis for system operations and water treatment purposes. More frequent information collection from larger entities helps the Secretary safeguard existing and future entitlements by taking action against excess use that would threaten the supply of other water users. More frequent reporting is necessary from large water users, particularly toward the end of the year, because there is risk that excess water use by a large water user could cause the water user to exceed its entitlement or a Lower Division State to exceed its apportionment of Colorado River water for the year.

**b. Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.** Respondents are generally not required to respond more often than at 30-day intervals. Larger users, whose volume of water use could cause the water user to exceed its entitlement or the State or the Lower Basin to exceed its annual water apportionment, will be monitored closely during the last few months of a year in which water use is high and there is a risk that water entitlements might be exceeded. However, the larger users have automated reporting techniques.

**c. Requiring respondents to submit more than an original and two copies of any document.** Respondents are not required to submit more than one original report, except for water users in the State of Nevada. Water users in Nevada fill out a form in triplicate to satisfy the State of Nevada's needs for information on how the State of Nevada's Colorado River water apportionment is used. The original is submitted to Reclamation, one copy is submitted to the State of Nevada, and the other copy is for retention by the water user.

**d. Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years.** Respondents are not required to retain information on water diversions and consumptive use beyond 1 year for the purpose of reporting information to Reclamation. However, Colorado River water must be put to beneficial use, and State law subjects a water user's entitlement to forfeiture if it is not used for a specified period (usually 5 years). It is in a respondent's own interest to keep records to prove water was put to beneficial use. If the respondent's water use was less than usual during part of the period for record retention, the respondent may want to keep a record of water use for 5 years of normal water use.

**e. In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.** No statistical methods are used to collect this information.

**f. Requiring the use of statistical data classification that has not been reviewed and approved OMB.** Statistical data classification will not be used.

**g. That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security**

**policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.** A pledge of confidentiality is not used.

**h. Requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.** Submission of proprietary or confidential information is not required.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Notice was given in the Federal Register on April 20, 2009 (74 FR 17982). No comments were received on this information collection.

**a. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]**

The Lower Division States have the right, under the BCPA, to consult with the Secretary on plans for the control and use of the resources of the Colorado River. In practice, Reclamation consults with the Lower Division States, Indian tribes, and Colorado River water users on an ongoing basis on various river operation matters. For example, Reclamation consults with the Lower Division States and the water users several times each year to develop the annual operating plan for operation of the Colorado River. In order to efficiently operate and manage the Colorado River in the Lower Basin, Reclamation obtains the views of the Lower Division States and water users on scheduled water orders, actual diversions, return flows, and consumptive use.

In addition, we contacted the three water users listed below who use the forms for reporting their Colorado River water use. We asked the water users questions such as, are the forms easy to understand, are the instructions clear, how long does it take to fill out the form, is the frequency of the collection adequate, do you have any difficulties with the availability of data, and do you have any suggestions for improvement of the forms.

**Water Users Contacted:**

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| 1. Mr. Don Fisher<br>Marble Canyon Company | 2. Ms. Jody Conway<br>Bookkeeper for Maurice McAlister |
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P.O. Box 6001, Hwy 89-A  
Marble Canyon, AZ 86036

Telephone: 928-355-2225

25283 Cabot Rod, Suite 219  
Laguna Hills, CA 92653

Telephone: 928-758-9000

**Water Users Contacted (cont'd):**

3. Ms. Sandra Sockwell  
Arizona American Water Company  
P.O. Box 2419  
Bullhead City, Arizona 86430

Telephone: 928-754-4386

**Summary of Findings From the Water Users Contacted:**

All three water users reported that (i) the forms are easy to understand, (ii) the instructions on the forms are clear, (iii) there is no problem with the frequency of collection either monthly reporting or annual reporting, and (iv) there are no suggestions for improvement of the forms. All three reported that the availability of data is typically easy to obtain. One comment made was that the contract requires annual reports by January 15<sup>th</sup>, which sometimes is hard to meet because of receiving the end of the year data.

The response from the water users regarding the time it takes to fill out the forms varied anywhere from 5 minutes to 2 hours, depending on if the water user was reporting monthly, annually, or both and if they are submitting the form electronically. Based on the contacts with the three water users, and our consultations with the Lower Division States to develop the annual operating plan for operation of the Colorado River, we conclude that our estimate for the burden hours is a good estimate.

**b. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

See 8A above.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payments or gifts will be provided to respondents.



**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

No assurance of confidentiality is provided to the respondents.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

No sensitive or private information is requested.

**12. Provide estimates of the hour burden of collection of information. The statement should:**

**a. Indicate the number of respondents, frequency of response, annual burden hour, and an explanation of how the burden was estimated.**

There are approximately 172 water users from whom information of annual diversions and return flows is needed. The number of potential respondents is reduced to 54 because the reports on annual diversions and return flows for the remainder are collected by USGS, Reclamation, or CAWCD. Six of the respondents are individuals and the remainder is small water companies, municipalities, or small businesses. For the 54 respondents, the total estimated annual burden is 290 hours. The burden varies depending on what information is reported and whether the respondent must complete only annual reports or both monthly and annual reports. The average burden for each form was estimated based on information from water users. The total burden for each was calculated by multiplying the average burden per form by the number of respondents who use that form. The total annual burden reflects the sum of the burdens for all forms (see table below).

The time and cost burden for some large water users to schedule, account for, and report water use is required by usual and customary business practices and are not a result of this information collection by Reclamation. For example, MWD owns and operates an extensive system of canals and storage reservoirs and conveys water to 27 member agencies, including 12 municipal water districts, 14 municipalities, and 1 water authority. MWD has access to sources of water other than the Colorado River, including the California State Water Project, groundwater recovery, and water available from exchanges, transfers, and conservation. The size and complexity of MWD's system requires automated information on a real-time basis, so hourly reporting of water diversions is within MWD's usual and customary business practices and imposes no burden. Some entities that use water for irrigation must monitor and control diversions because of capacity limitations in their water distribution facilities and to coordinate the amount and timing of water use on agricultural crops. Municipalities and municipal water districts who are responsible for providing water service to their customers must also monitor

and control diversions because of capacity limitations in their water distribution facilities and to be able to responsibly plan water schedules to meet customers' demands.

**b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**

Information on water diversions is reported on four different types of forms. The base form (Form 72) was developed for use by respondents in the State of Nevada to meet the needs of CRC, and variations of the form have been used by other respondents. Some respondents choose to use their own format to report diversions and return flows. Water service contracts require some respondents to supply both monthly and annual reports on the same form.

Form No.	Monthly Report			Annual Report			Total Hours (c+f)	Total Number of Responses/ year (ax12+d)
	(a) Number of Respondents	(b) Hours/Month/ Respondent	(c) Hours/Year (axbx12)	(d) Number of Respondents	(e) Hours/ Respondent	(f) Annual Hours (dxe)		
LC-72	6	0.5	36	6	3	18	54	78
LC-72A	1	0.5	6	8	3	24	30	20
LC-72B	3	0.5	18	15	4	60	78	51
Custom Forms	13	0.5	78	25	2	50	128	181
Total	23	0.5	138	54		152	290	330

**c. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The smaller water users must record the quantities of monthly water diversions and return flow and be able to retrieve that information to write it on the annual report to Reclamation. The potential cost to small-user respondents is estimated to be \$20 per hour for time spent by clerical staff to search for required information and complete the form. Reclamation used hourly rates as determined by the U.S. Bureau of Labor Statistics (BLS) at <http://data.bls.gov>. The annual cost per response is \$20.41 (\$14.58 x \*1.4 benefits multiplier), rounded to \$20. \*BLS news release USDL 08-1802. The estimated burden costs are as follows:

	(a)	(b)	(c)	(d)	(e)	(f)
Form No.	Hours/ Respondent/ Month	Hours/Year/ Respondent (a x 12)	Average Cost per Respondent (\$20/hour) (b x \$20)	Number of Respondents	Cost per Form (c x d)	Total Cost per form [monthly + annual in (e)]
Form LC-72 Monthly Annual	0.5 ---	6.0 3.0	\$120 60	6 6	\$720 360	\$1,080
Form LC-72A Monthly Annual	0.5 ---	6.0 3.0	\$120 60	1 8	\$120 480	\$600
Form LC-72B Monthly Annual	0.5 ---	6.0 4.0	\$120 80	3 15	\$360 1,200	\$1,560
Custom Forms Monthly Annual	0.5 ---	6.0 2.0	\$120 40	13 25	\$1,560 1,000	\$2,560
<b>Total</b>						<b>\$5,800</b>

The grand total hourly burden cost for all respondents of \$5,800 does not include those respondents for which information is collected by USGS, CAWCD, or Reclamation. Reclamation does not impose a cost on the respondents. Each water user has a fixed quantity of Colorado River water available during any year under its water delivery contract with the United States. When a water user's consumption of Colorado River water exceeds its contract entitlement, the water user must either acquire and use a supplemental water supply or reduce its consumption of Colorado River water to avoid excess use and a breach of the contract. A prudent water user must therefore estimate its annual usage in advance and keep records of actual water use. Further, most respondents are entities that supply water service to individual consumers and are accountable to a State regulatory agency for providing reliable water service. Therefore, they are expected to keep records as part of normal and customary business practices. The additional time to transfer this information onto a report form or put it in a letter to Reclamation is relatively minor in comparison to the benefit of the inexpensive water supplies.

**13. Provide an estimate of the total annual [non-hour]cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

**The cost estimate should be split into two components:**

**1. A total capital and start-up cost component (annualized over its expected useful life).** There are no capital start-up costs associated with this information collection.

2. A total operation and maintenance and purchase of services component. There are no operation and maintenance costs associated with this information collection. The purchase of computers or other specialized equipment or services to schedule water orders or to record and report information is part of the customary and usual business practices of respondents.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff) and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

The cost to the Federal Government for complying with the Consolidated Decree by preparing and maintaining complete, detailed, and accurate records of diversions of water, return flow, and consumptive use is estimated to be \$1,333,352. These costs are incurred with or without the collection of information from respondents and include staff time/salaries, equipment, and supplies. The costs are a combination of costs incurred by Reclamation and USGS. An extensive work plan was developed by Reclamation that estimated the amount of time that each employee spends compiling, accounting for, and publishing information on annual diversions and return flows. The updated estimate includes the following costs:

Estimated Reclamation Costs:

Water Conservation and Accounting Group:

Compilation and publication of Consolidated Decree accounting records	\$ 622,052
Consumptive uses and losses report	<u>70,200</u>
Subtotal:	692,287

Yuma Area Office:

Accounting for diversions and return flows downstream from Parker Dam	<u>145,000</u>
Subtotal, Yuma Area Office	<u>145,000</u>

<u>Total Estimated Reclamation Costs</u>	<u>837,252</u>
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Item	Costs
Printing	\$2,100
Staff time/Salaries	\$745,052 (15,400 hours x \$48.38)
Equipment and Supplies	\$90,100
<b>TOTAL</b>	<b>\$837,252</b>

USGS:

Consolidated Decree accounting

496,100

<u>Item</u>	<u>Costs</u>
Equipment	\$19,825
Staff time/Salaries	\$446,500 (9,229 hours x \$48.38)
Vehicles	\$29,775
<b>TOTAL</b>	<b>\$496,100</b>

Total Estimated Federal Costs

\$1,333,352

Wage rate figure is based on the following:

- The average grade level of staff included in this cost estimate is GS-12 step 5.
- The 2009 hourly base wage for a GS-12 step 5 Federal employee is \$32.25
- The total hourly wage with benefits is \$48.38 (\$32.25 base wage X 1.5\* benefits multiplier). \*BLS news release USDL: 08-01802, December 10, 2008.
- Information was obtained from the Office of Personnel Management ([http://www.opm.gov/flsa/oca/09tables/html/gs\\_h.asp](http://www.opm.gov/flsa/oca/09tables/html/gs_h.asp))

The contracts between the United States and water users for delivery of Colorado River water require water diversions to be metered or, in the case of small water users, estimated in accordance with a written methodology that is approved in advance by Reclamation using customary and standard engineering practices. The contracts require all measuring devices to be furnished, installed, and maintained in a manner that is satisfactory to Reclamation without any expense to the United States. Therefore, as an alternative to collecting this information from the water users, Reclamation could require the water users to install and maintain, at their expense, meters that Reclamation employees could read to obtain the necessary information. There are well over 500 meters on the facilities used to deliver water to these 54 entities that are requested to report diversions and return flows. The cost of installing a meter would vary depending on size, type, and location. The cost of purchasing and installing a meter can vary from about \$150 to tens of thousands of dollars per meter. It would also be necessary to hire additional personnel to travel to numerous scattered remote locations to read the meters. These costs would be borne by the water users and would need to be developed on a case-by-case basis. This option would impose far greater time and cost burdens on the water users than would be the case for this information collection. An estimate of the costs to purchase, install, and maintain the metering equipment and fund additional Reclamation employees to collect data could not be developed without devoting significant time. Reclamation's current ability to obtain this information from the water users would make it difficult to justify the expense of evaluating this option, let alone implementing it. The present method of requiring water users to report information to Reclamation meets Reclamation's needs and is less of a time and cost burden to the water users.

**15. Explain the reasons for any program changes or adjustments reported.**

We have not made any program changes or adjustments.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This will be an ongoing information collection with no ending date because the water entitlements are for permanent service and the Secretary has no relief from the Court's order to prepare and maintain records of annual diversion, return flow, and consumptive use. Information will be collected annually or otherwise as determined necessary by the Secretary. Reclamation publishes this information in an annual report, Compilation of Records in Accordance with Article V of the Consolidated Decree. Per the Court's order, these records are available for inspection by interested persons.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

We will display the expiration date for OMB approval of the information collection.

**18. Explain each exception to the certification statement, "Certification for Paperwork Reduction Act Submissions."**

There are no exceptions to the certification statement.