



Dave Heineman
Governor

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
Brian P. Dunnigan, P.E.
Director

August 23, 2013

IN REPLY TO:

Aaron Thompson, Area Manager
Great Plains Region
Bureau of Reclamation
1706 West Third
McCook, NE 69001

RE: Compact Compliance Efforts in 2013

Dear Mr. Thompson:

This letter is in response to your August 16, 2013, letter requesting an update on the Department's compliance efforts in 2013 as well as a request to have the Department schedule additional releases of Compact water from Harlan County Lake (HCL) to coincide with the completion of repairs to the Courtland Canal at the end of September.

As an update on the Department's compliance efforts, it is currently anticipated that all Compact water (the approximately 24,800 acre-feet in HCL and the 11,700 acre-feet in the four reservoirs upstream of HCL) will need to be released within 2013 and that all additional storage accruals will need to be held as Compact water until such time as Compact compliance is ensured. The need for these additional releases is in part due to the fact that Kansas has not agreed to approve Nebraska's Alternative Water-Short Year Plan or Nebraska's Rock Creek Augmentation Plan which would allow for more of this water to be retained.

As for delaying the release of Compact water from HCL, the Department would be happy to work with BOR in extending the timeframe for retaining Compact water in HCL if the proper accounting arrangements (split of HCL evaporation) can be agreed upon with Kansas, whereby the additional evaporative charges for retaining this water are applied exclusively to Kansas through the RRCA accounting. Thus, we would hope that you would support our efforts to expedite such an arrangement with Kansas as the Department works to effectuate BOR's desires.

Sincerely,

Brian P. Dunnigan, P.E.
Director

cc: David Barfield, P.E., RRCA Commissioner, Kansas State Engineer
Dick Wolfe, P.E., RRCA Commissioner, Colorado State Engineer
Kenneth Nelson, Kansas Bostwick Irrigation District No. 2