



Dave Heineman
Governor

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

September 10, 2013

IN REPLY TO:

David Barfield, P.E.
Kansas Commissioner, RRCA
Kansas State Engineer
Division of Water Resources
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283

RE: Harlan County Lake Evaporation Split

Dear Mr. Barfield:

I have received your August 30, 2013, letter regarding the Harlan County Lake (HCL) evaporation split for 2013. I believe there are inaccuracies in your portrayal of the events that have occurred to date. However, I am hopeful that with your renewed acceptance of full responsibility for the evaporation from the Compact Water storage account in HCL for 2013, we can begin to work together in a more productive manner.

Understand that my August 23, 2013, letter was not about leveling threats against Kansas, but rather a simple reminder of the status of Nebraska's compliance efforts in 2013. Compact compliance by Nebraska cannot be a threat to Kansas. I believe that we have been fully transparent regarding compliance plans for this year. I look forward to further discussions with you at the upcoming Compact Administration meeting; perhaps there are additional ways that Nebraska can assist Kansas' water users that will not interfere with Nebraska's compliance with the Compact.

Sincerely,

A handwritten signature in blue ink that reads "Brian P. Dunnigan".

Brian P. Dunnigan, P.E.
Director

cc: Dick Wolfe, P.E., RRCA Commissioner, Colorado State Engineer
Aaron Thompson, Bureau of Reclamation
Kenneth Nelson, Kansas Bostwick Irrigation District No. 2