



109 SW 9th Street, 2nd Floor  
Topeka, Kansas 66612-1283

phone: (785) 296-3717  
fax: (785) 296-1176  
www.ksda.gov/dwr

Dale A. Rodman, Secretary  
David W. Barfield, Chief Engineer

Sam Brownback, Governor

September 27, 2013

Brian P. Dunnigan, P.E.  
Nebraska Commissioner, Republican River Compact Administration  
Nebraska Department of Natural Resources  
301 Centennial Mall South  
PO Box 94676  
Lincoln NE 68509-4676

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OCT 03 2013

DEPARTMENT OF  
NATURAL RESOURCES

RE: Harlan County Lake Evaporation Accounting Agreement

Dear Commissioner Dunnigan,

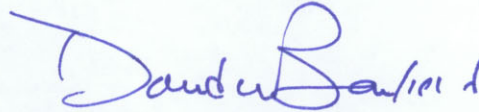
Thank you for your September 18, 2013 letter. I recognize Nebraska's desire to implement an Alternative Water-short Year Administration plan under its interpretation of Appendix M. However, now that Nebraska has the benefit of Kansas' presentation of its concerns through the recent arbitration proceedings, I'm sure you can understand why Kansas' position on Nebraska's 2012 plan is unchanged. I do not agree with your characterization of Kansas objections to Nebraska's 2012 plan being on the basis of "technicalities." However, Kansas too would welcome discussion at the RRCA concerning future plans that Nebraska might submit.

I agree with you that our arrangement regarding the alternate accounting for the 2013 evaporation from Harlan County Lake is significant. You correctly perceive that Kansas and the Kansas Bostwick Irrigation District both strongly prefer that as much water as possible be retained in Harlan County Lake through the end of 2013 and into 2014, increasing supplies, allowing for better planning, and reducing the future impact should limited water supplies persist.

As offered in my April 19, 2013 letter, for whatever amount of water Nebraska believes it needs released for its compliance for 2013, Kansas is willing to take full responsibility for the evaporation and to adjust the accounting to treat that water as if it had been released with the assumption of no transit losses to the stateline, provided that water is carried over for Kansas' use. Any remaining water could revert back to the project pool.

As we discussed at the annual meeting, I am hopeful that the engineering committee can be used to explore alternatives for storage accounting and division of evaporation charges at Harlan County Lake in 2014 and beyond toward mutually beneficial ends.

Sincerely,

A handwritten signature in blue ink that reads "David W. Barfield". The signature is fluid and cursive, with a large initial "D" and "B".

David W. Barfield, P.E.  
Kansas Chief Engineer  
Chairman, RRCA

CC: Dick Wolfe, P.E., Colorado Commissioner, Republican River Compact Administration  
Aaron Thompson, Bureau of Reclamation  
Kenneth Nelson, Kansas Bostwick Irrigation District No. 2, Superintendent  
Mike Delka, Bostwick Irrigation District in Nebraska, Manager  
Tracy Streeter, Kansas Water Office, Director



Sam Brownback, Governor

Department of Agriculture  
Division of Water Resources  
109 SW 9th Street, 2nd Floor  
Topeka, KS 66612-1283

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BRIAN P DUNNIGAN PE  
NEBRASKA COMMISSIONER  
REPUBLICAN RIVER COMPACT ADMINISTRATION  
NEBRASKA DEPT OF NATURAL RESOURCES  
301 CENTENNIAL MALL SOUTH  
PO BOX 97676  
LINCOLN NE 68509 4676

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