



# United States Department of the Interior



BUREAU OF RECLAMATION  
Great Plains Region  
Nebraska-Kansas Area Office  
P.O. Box 1607  
Grand Island, Nebraska 68802-1607

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WTR-4.00 RR

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MAR 28 2008

MAR 31 2008

Brian Dunnigan, Acting Director  
Department of Natural Resources  
P.O. Box 94676  
Lincoln, NE 68509-4676

DEPARTMENT OF  
NATURAL RESOURCES

Subject: Surface Water Accounting - Proposed 2008 Republican River Water Agreements

Dear Mr. Dunnigan:

This letter is being provided to confirm our understanding of the surface water accounting procedures that will be utilized in 2008 related to the proposed surface water (natural flow only) agreements between the Nebraska Department of Natural Resources (DNR) and the Riverside Irrigation Company, Inc., Frenchman Valley Irrigation District, and Frenchman-Cambridge Irrigation District.

1. If it is determined that accounting and protection of natural flow water from Riverside Irrigation Company, Inc., and Frenchman Valley Irrigation District will be implemented by DNR for all or portions of 2008, the accounting and protection will be administered by DNR using the same procedures as utilized in 2007. These procedures are described in the June 21, 2007, letter to this office and the Republican River Basin Coalition from DNR (copy enclosed).

2. There will be no accounting and/or protection of natural flow water not diverted as provided by the Frenchman-Cambridge Irrigation District's agreement with DNR to delay the exercise of its right to divert natural stream flows and delay the start of delivering irrigation water to the Cambridge Canal in 2008.

It is our understanding that no agreements, as referenced above, have been executed to date. This letter is being provided at this time to ensure that all parties involved or potentially affected by these agreements have a common understanding of the accounting and protection procedures that will be utilized in 2008. It is requested that you advise this office of the accounting and protection procedures, if any, that DNR will utilize for these agreements prior to their execution. It is also requested that this office be provided copies of any purchase agreements that are entered into for 2008.

Thank you for your cooperation in this matter. If you have any questions, please contact me at the above address or telephone 308-389-5300.

Sincerely,

Aaron M. Thompson  
Area Manager

Enclosure

cc: David Barfield, Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture  
109 SW 9<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Topeka, KS 66612-1283

Dick Wolfe, State Engineer  
State of Colorado  
1313 Sherman Street, Room 818  
Denver, CO 80203-2277

Roy Patterson, Superintendent  
Frenchman-Cambridge Irrigation District  
PO Box 116  
Cambridge, NE 69022

Don Felker, Manager  
Frenchman Valley Irrigation District  
PO Box 297  
Culbertson, NE 69024

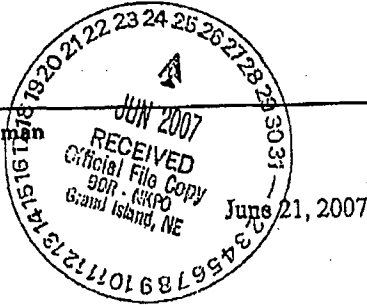
Roger Kolbet, President  
Riverside Irrigation Company, Inc.  
RR 3, Box 33  
Culbertson, NE 69024

Stan Goodwin  
Attorney at Law  
PO Box 607  
McCook, NE 69001

Lee Orton  
Attorney at Law  
1233 Lincoln Mall, Suite 201  
Lincoln, NE 68508  
(All with enclosure)



Dave Heineman  
Governor



STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES  
Ann Bleed  
Director

Stephen Ronshaugen  
Acting Area Manager  
U. S. Bureau of Reclamation  
Federal Building, 203 West 2nd Street  
Grand Island NE 68801-5907

Daniel L. Smith  
Republican River Basin Coalition  
Republican River Natural Resource District  
P.O. Box 81  
220 Center Avenue  
Curtis, NE 69025

NAME	INITIAL	ACTION	DATE
Steve			
Mike K		IN REPLY TO:	
Jack			
Sandy			
McCook	by cy		6/25
REMARKS: 400 — 410 WEP/CS MTS BAY MZC			

**SUBJECT:** Accounting for Water Not Used in 2007 by the Riverside Irrigation District, the Frenchman Valley Irrigation District and the Frenchman-Cambridge Irrigation District in Accordance with the Agreement between the Irrigation Districts and the Republican River Basin Coalition

This letter describes the procedure that will be used to account for the water that will be available for use by Kansas as a result of the Republican River Basin Coalition entering into an agreement whereby the Frenchman-Cambridge Irrigation District, the Riverside Irrigation District and Frenchman Valley Irrigation District will not utilize a portion of their existing water supply for irrigation of district lands during the 2007 irrigation season. In the case of the Riverside Irrigation District and the Frenchman Valley Irrigation Districts, the lease is for natural flow water. In the case of the Frenchman-Cambridge Irrigation District the lease is for both natural flow and storage water.

The Nebraska Department of Natural Resources will provide an accounting of the purchased natural flow and storage water that will be protected from use by other surface water diverters in each reach of the river. This water will be protected from the point the water would have been diverted, or in the case of the Frenchman-Cambridge Irrigation District, from the point of release from Harry Strunk Lake, to Harlan County Lake. Protected water released from Harlan County Lake will be protected to the Kansas-Bostwick Diversion at Guide Rock in the same manner that storage water released for Kansas-Bostwick is protected. Any Frenchman Valley and Riverside Irrigation District protected water passing Guide Rock minus any carriage losses will be protected from the Guide Rock Diversion Dam until it passes into Kansas near the Hardy gage.

It is the Department's understanding that the U. S. Bureau of Reclamation will be willing to account for and store in Harlan County Lake any protected natural flow or storage water resulting from the assignment of water from the Frenchman-Cambridge Irrigation that is not immediately used to meet the demands of the Kansas-Bostwick Irrigation District. It is also our understanding that the protected purchased water from Frenchman Valley Irrigation District and Riverside

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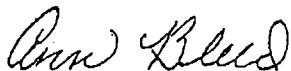
Irrigation District cannot be stored in Harlan County Lake but will be passed though Harlan County Lake.

The Temporary Assignment No. 1 Contract No. 009D6B0122 between the U. S. Bureau of Reclamation, the Frenchman-Cambridge Irrigation District, the Kansas-Bostwick Irrigation District No. 2 and the Republican River Basin Coalition is premised on the assumption that the delivery, protection and accounting of the assigned water will not reduce or diminish the water use benefits of the Nebraska-Bostwick Irrigation District's water supply that would have been received as a result of normal irrigation water deliveries from Harry Strunk Lake and will otherwise be in accordance with the National Environmental Policy Act and other federal and state laws. Based on this contract as well as other state laws, the water from Riverside Irrigation District, the Frenchman Valley Irrigation District and the Frenchman-Cambridge Irrigation District that will be protected from diversions by Nebraska surface water irrigators will be that which would not have returned to the Republican River or its tributaries if the water had been diverted and used for the irrigation of lands in accordance with the districts' permits from the Nebraska Department of Natural Resources. To determine the percentage of the water that would have been diverted and would not have returned to the river as a result of normal deliveries for irrigation, the Department will use the same accounting procedures as described in the Republican River Settlement. These procedures assume that 60% of the diversion to the Riverside Irrigation would not have returned to the river. For the Frenchman Valley Irrigation District and the Frenchman-Cambridge Irrigation District, the percentages of the diversion that would not have returned to the river are based on measured diversions from the river into the canal, measured field deliveries, and assumptions of how much of the water that was lost from the canal or the field would have returned to the Republican River. The details of this procedure are described in Attachment 7 in Appendix C of the Republican River Basin Final Settlement Stipulation (See Attachment A).

Using this methodology at a meeting on June 20, 2007 representatives from the Bureau of Reclamation, the Republican River Basin Coalition and the Department of Natural Resources mutually agreed that the consumptive use amounts of water that would have been diverted by each irrigation district entering into an agreement with the Republican River Basin Coalition that will be protected are as follows: Riverside Irrigation District, 60% of the diversion; Frenchman Valley Irrigation District, 50% of the diversion; and Frenchman-Cambridge Irrigation District 57% of the diversion. In addition, in each reach of the river, the conveyance losses from evaporation and any additional seepage loss in each reach of the river will be subtracted from the water to be protected from diversion in proportion to the percentage of the total flow that is attributable to the protected water. (For more information see Attachment B.) Based on these percentages, the amount of water that will be made available to Kansas in 2007 as a result of these contracts will be approximately 84% of the Riverside Irrigation District diversion, 80% of the Frenchman Valley Irrigation District diversion and 83% of the Frenchman-Cambridge Irrigation District diversion minus any carriage losses.

The Department of Natural Resources will provide a timely accounting of the water to be protected and will work closely with the U. S. Bureau of Reclamation to assure protection of this water.

Sincerely,



Ann Bleed, Director

ATTACHMENT A

Republican River Compact Administration

Accounting Procedures and Reporting Requirements  
Revised January 2005

Attachment 7: Calculations of Return Flows from Bureau of Reclamation Canals

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6	Col 7	Col 8	Col 9	Col 10	Col 11
Canal	Canal Diversion	Spill to Waste-way	Field Deliveries	Canal Loss	Average Field Loss Factor	Field Loss	Total Loss from District	Percent Field and Canal Loss That Returns to the Stream	Total Return to Stream from Canal and Field Loss	Return as Percent of Canal Diversion
Name Canal	Headgate Diversion	Sum of measured spills to river	Sum of deliveries to the field	+Col 2 - Col 4	1 - Weighted Average Efficiency of Application System for the District*	Col 4 x Col 6	Col 5 + Col 7	Estimated Percent Loss*	Columns 8 x Col 9	Col 10/Col 2
Example	100	5	60	40	30%	18	58	82%	48	48%
Culbertson					30%					
Culbertson Extension					30%					
Meeker-Driftwood					30%					
Red Willow					30%					
Bartley					30%					
Cambridge					30%					
Naponee					35%					
Franklin					35%					
Franklin Pump					35%					
Almena					30%					
Superior					31%					
Nebraska Courtland					23%					
Courtland Canal Above Lovewell (KS)					23%					
Courtland Canal Below Lovewell					23%					

\*The average field efficiencies for each district and percent loss that returns to the stream may be reviewed and, if necessary, changed by the RRCA to improve the accuracy of the estimates.

## Attachment B

### Notes:

Water accounting will start on the date indicated in the applicable agreement.

Only the portion of the water that would have been consumed if diverted is protected from diversion by other surface water users. The entire FCID water is protected from its release from Harry Strunk Lake down to the Cambridge Diversion Dam.

Amount of water purchased from Frenchman-Cambridge is released water from Harry Strunk Lake as measured at the river gage below the dam.

Amount is 26,000 acre-feet. Releases from Harry Strunk Lake will mimic a normal irrigation season. Maximum Canal capacity is 325 CFS

Amount of Water Purchased from Frenchman Valley (up to 8000 acre feet) = Frenchman Cr at Palisade + Stinkingwater Cr. One day totals will be capped at the legal natural flow diversion rate for Frenchman Valley Irrigation District.

Amount of water purchased from Riverside = 2000 acre feet. This is assumed that 9.6 cfs will be available at the Diversion for 105 days starting on date indicated in agreement (or signed).

The consumptive use portion of the purchased water that is protected will be based on the percentages of consumed water in the Compact Accounting formulas. Riverside is 60% of Headgate is CBCU, Frenchman Valley average from 2001 to 2005 is 50% CBCU and Frenchman-Cambridge is 57% of the CBCU.

Carriage losses include surface water evaporation and any additional loss in the section, if any. The additional loss is determined by subtracting the inflows to the section from the outflows to the section. If the result is a positive, there is no additional loss to the purchased water above evaporation. If it is a negative, the section loss will be included in the carriage losses assigned to the purchased water

The percentage of carriage losses assigned to the purchased water will be based on the percentage of the purchased water in each section as part of the total flow in the section.

The total flow in the section is the maximum of either the total inflows to the section or the total outflow to the section.

The total amount of FCID purchased protected water arriving at Harlan County Lake will be assigned to a special purchased water account for Kansas-Bostwick Irrigation District (KBID) if stored. Any natural flow purchased from Frenchman Valley and Riverside that arrives at Harlan County Reservoir will be passed through when releases are made for KBID. Any remaining inflow to the Lake will be split between Nebraska-Bostwick Irrigation District (NBID) and KBID according to the usual Bureau of Reclamation accounting procedures.

The Department of Natural Resources will provide a timely accounting of the water to be protected and will work closely with the U. S. Bureau of Reclamation to assure protection of this water.

When the first storage water is released from Harlan County Lake, 12,500 acre feet of NBID water will be assigned to the KBID Purchased Water Account.

If KBID is taking water from or thru Harlan County Lake, the priority of use is 1) the consumptive use portion of the purchased water from Frenchman Valley and Riverside 2) the consumptive use portion of the purchased water from FCID and 3) NBID purchased water.

At the end of the irrigation season, any water remaining in the KBID Purchased Water Account will be carried over in that account for the next irrigation season.