# RESOLUTION BY THE REPUBLICAN RIVER COMPACT ADMINISTRATION APPROVING ACCOUNTING ADJUSTMENTS AND AGREEMENTS RELATED TO THE OPERATION OF HARLAN COUNTY LAKE IN 2014

**Be it hereby resolved** that the Republican River Compact Administration ("RRCA") approves the following Republican River Compact accounting ("Compact Accounting") adjustments for 2014. To the extent that the Compact Accounting performed by the RRCA for the accounting years affected by this resolution is also affected by any other changes to the Accounting Procedures that have been, or are, adopted by the RRCA or required by Order of the United States Supreme Court, the temporary changes in this resolution will be executed in conjunction with those other changes. The States hereby agree as follows:

I. Nebraska will not take any action to cause the release of any water in Harlan County Lake during the remainder of 2014, and also will not take any action to cause any inflows to Harlan County Lake to be bypassed during the remainder of 2014;

II. 63,500 acre-feet will be added to the "Imported Water Supply Credit" and to the "Imported Water Supply Credit Above Guide Rock" columns in Tables 3 and 5c respectively, of the 2014 Compact Accounting for Nebraska.

III. The 2014 Virgin Water Supply ("VWS") of Rock Creek will be reduced by 21,000 acre-feet and the 2014 VWS of Medicine Creek will be reduced by 42,500 acre-feet.

IV. The States agree to work jointly, in good faith, and with any other necessary parties, including the United States, to develop all needed agreements to implement, by December 1, 2014, or as soon thereafter as possible, the establishment of a separate water storage account in Harlan County Lake that shall be under the exclusive control of Kansas ("Kansas Account").

V. 14,100 acre-feet of water in the irrigation pool of Harlan County Lake on December 31, 2014 will be available for Kansas' use in 2015 or subsequent years, provided:

   a. If the Kansas Account, described in IV. is implemented in 2014, then 14,100 acre-feet shall be deposited into that account; or

   b. If the Kansas Account is not implemented in 2014, then 14,100 acre-feet shall be available through a modification to the existing Warren Act contract between the Kansas Bostwick Irrigation District ("KBID") and Reclamation.

   c. If neither of V.a. or V.b. is implemented by the parties, the disposition of the 14,100 acre-feet of water will be determined pursuant to section VI.

VI. Except as the States and the United States may further agree, the water in the irrigation pool of Harlan County Lake as of December 31, 2014, less any water made available to Kansas pursuant to section V., shall become "project water," as that term is defined by Reclamation. The States intend that this "project water" will be made available to the Kansas Bostwick Irrigation District ("KBID") and Nebraska Bostwick Irrigation District ("NBID") in accordance with existing Reclamation procedures.

VII. Kansas will be assessed for all 2014 HCL evaporation.

VIII. The States agree to work to develop a forward-looking delivery approach to provide more certainty for both Kansas and Nebraska water users.

IX. The States agree that this temporary agreement does not obligate any State to support or approve any augmentation plan, any plan proposed under Appendix M of the Final Settlement Stipulation, at any time in the future, or develop a forward-looking delivery approach.

X. The States agree that this temporary agreement will not be considered precedent for the RRCA's approval of any augmentation proposal or Appendix M plan in the future or the development of a forward-looking delivery approach.

XI. The States do not waive any objections, positions, or arguments related to any matters previously adjudicated or arbitrated.

Approved by the RRCA this 22nd day of October, 2014.

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| Dr. James C. Schneider<br>Acting Nebraska Member<br>Acting Chairman, RRCA | 10/22/14<br>date |
| David Barfield, P.E.<br>Kansas Member | 10/22/2014<br>date |
| Dick Wolfe, P.E.<br>Colorado Member | 10-22-14<br>date |