

Nebraska Perspective of Recent RRCA Resolutions

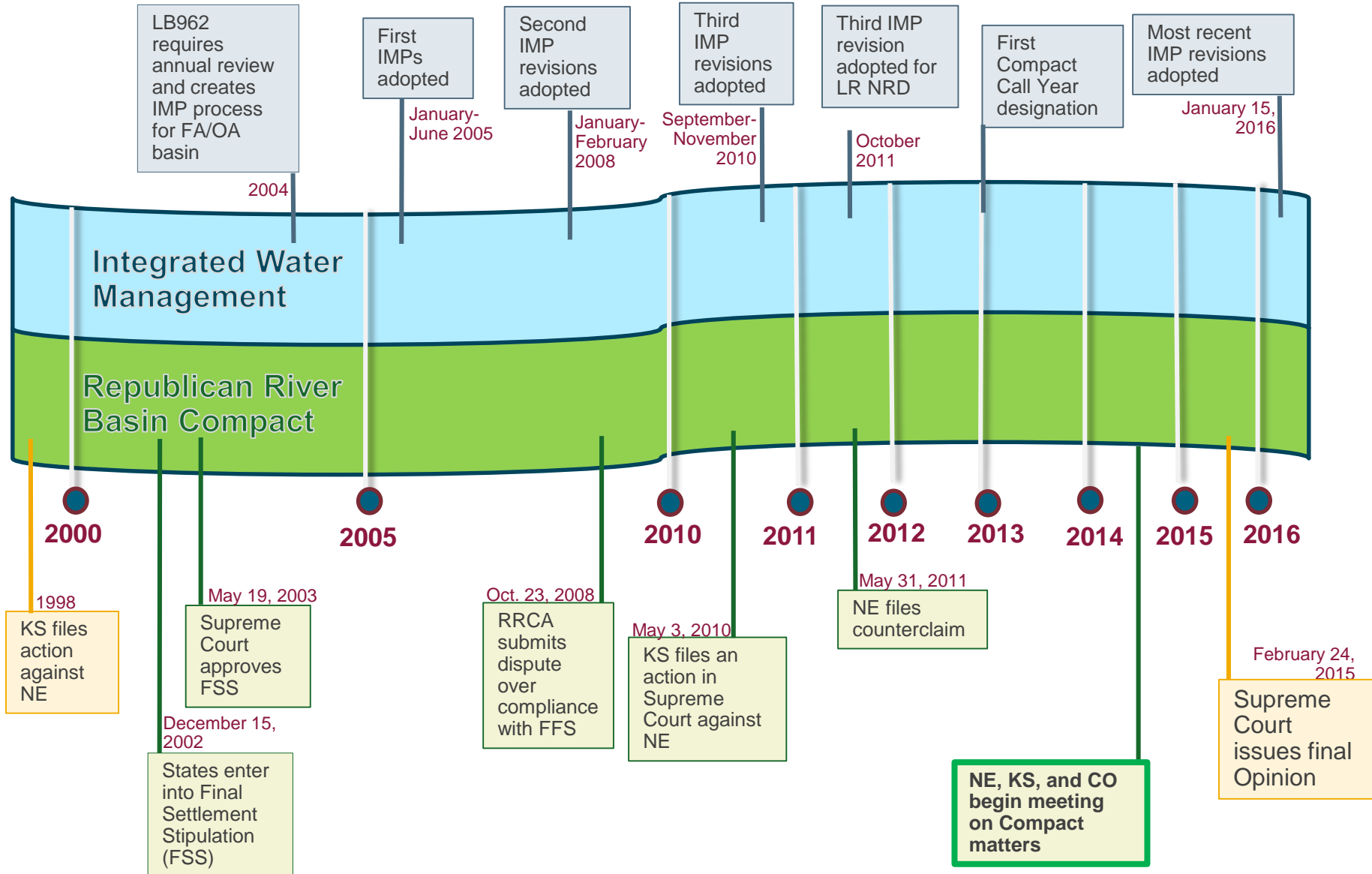
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Outline

- Timeline of Compact Activities and Nebraska Water Management Activities
 - RRCA Resolutions
 - Long-term Resolution Components
 - 2017 Forecast
 - 2017 NRD Management Actions
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Republican River Basin Compact and Water Management Activities



RRCA (3-state) Resolutions

- Fall 2014
 - Provided NE crediting for augmentation activities
 - Allowed Kansas to carryover water into subsequent irrigation season without downstream release
- Spring 2015
 - Provided NE crediting for augmentation activities
 - Allowed Kansas to access their Compact allocation in Harlan County Lake
- Fall 2015/Spring 2016
 - Provided NE crediting for augmentation activities
 - Allowed Kansas to access their Compact allocation in Harlan County Lake
- Summer 2016 (long-term)
 - Established long-term principles of agreement for Compact Call Years
 - Established long-term principles of agreement for Colorado compliance activities

Long-term Resolutions

“These resolutions represent a long-term strategy for representing each state and ultimately improving water management for water users in all three states.”

–Gov. Pete Ricketts, NE



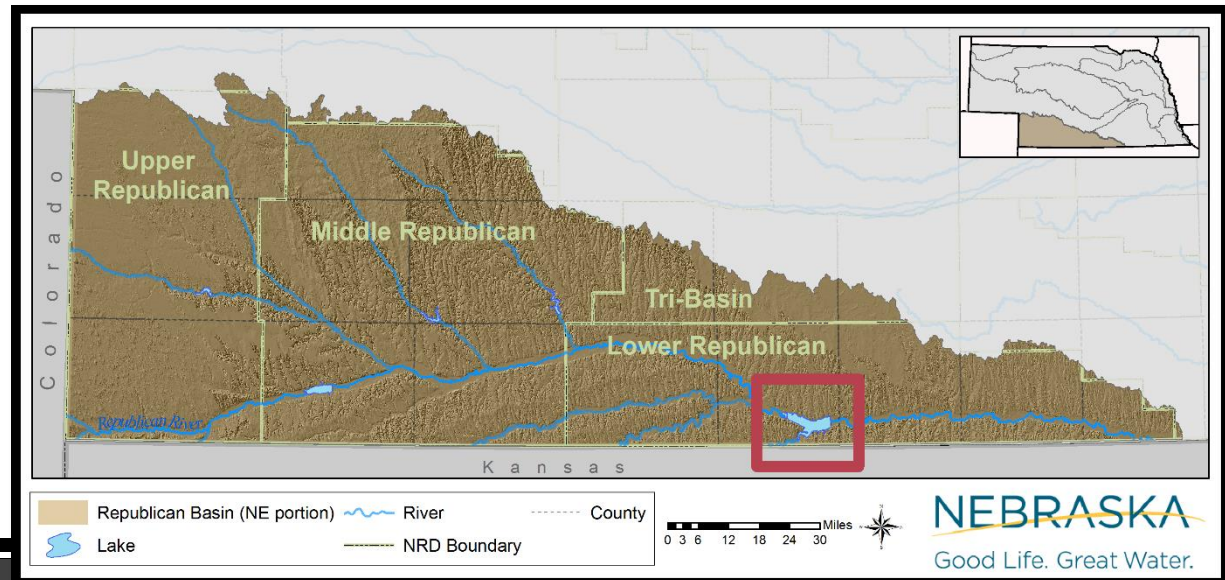
(from left): Commissioner David Barfield, Chief Engineer, KS Department of Agriculture;
Commissioner Dick Wolfe, State Engineer, CO Division of Water Resources;
Commissioner Jeff Fassett, Director of NE Department of Natural Resources

- Both signed on August 24, 2016, during annual meeting
- Represent a long-term strategy for the efficient and beneficial use of the water allocated to each state
- Agreements should ultimately improve water management for CO, NE, and KS users

Long-term Resolution

Harlan County Lake

- Establishes a long-term agreement to implement modifications to Harlan County Lake Operations and RRCA Accounting Procedures to improve water supplies within the Basin.



Long-term Resolution Components

Harlan County Lake

- Nebraska commitments
 - Compact Call Year activities will be coordinated closely with Kansas
 - Water supplies will be made available in HCL by June 1st
- Kansas commitments
 - Identify water needs well in advance of the upcoming irrigation season
 - Provide full crediting to Nebraska for compliance activities

Long-term Resolution Components

Harlan County Lake

- Includes clear definitions related to Nebraska's Compact Call Year procedures, including terms describing the forecast and compliance volumes and other related definitions.
- Provides certainty of water supplies for use by the Kansas Bostwick Irrigation District (KBID), as well as opportunities for other Kansas water users outside of the District to access water supplies.
- Provides greater certainty and predictability for Nebraska water users by enhancing water management actions that should minimize the need for water administration.
- Provides Nebraska with certainty that its water management actions taken for compliance, such as streamflow augmentation, will be fully credited towards its Compact compliance obligations.

Long-term Resolution Components

Harlan County Lake

- Establishes clear procedures for forecasting and identifying water management needs well in advance of an upcoming year's irrigation season.
- Ensures that the flexibility established under the resolution does not create new requirements that negatively impact the states' water users.
- Includes a commitment to transparency, continued data sharing, and continued dialogue through the implementation of the resolution.

Long-term Resolution Components

Colorado Compact Compliance Pipeline

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South Fork Republican River Compliance Efforts

- Establishes a long term agreement to implement operation and accounting procedures for the Colorado Compact Compliance Pipeline, sets forth metrics for South Fork compliance measurement, and resolves issues related to previous accounting disputes.



Long-term Resolution Components

Colorado Compact Compliance Pipeline

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South Fork Republican River Compliance Efforts

- Greater Predictability in CCP operations
- Milestones for South Fork acreage retirements
- Crediting for compliance activities
- Develop options to maximize use of Bonny Reservoir and maintain its flow of water
- Resolution of past accounting issues (e.g. Beaver Creek) in Water Short Years
- Commitment to transparency and continued data sharing

Long-term Resolution Components

Final Notes

- Each resolution includes a clause noting that compliance with the resolution constitutes compliance with the FSS and RRC.
- Each state will re-examine resolutions by 2020 to ensure correct implementation
- States agree to work in good faith to resolve any disputes arising from resolution interpretation

Compact Call Year 2017

2017 Forecast Summary (Issued 12/31/2016)

| Year | URNRD | MRNRD | LRNRD |
|--|---------|---------|---------|
| 2016 Provisional | -900 | -400 | 5,700 |
| 2017 Allowable Depletions | 35,300 | 44,700 | 63,900 |
| 2017 Forecast Depletions | 48,100 | 55,500 | 81,700 |
| 2017 Forecast Balance | -17,800 | -10,800 | -12,800 |
| Two-Year Total | -18,700 | -11,200 | -7,100 |
| June 1, 2017, Compact Requirement | 10,100 | 6,100 | 3,800 |
| Projection of Remaining Compact Compliance Volume after June 1 Actions | -8,600 | -5,200 | -3,300 |

Yellow: Two-Year Totals – 2016-2017 deficit

Blue: June 1 Compact Requirement – deficit to be delivered by June 1

Gray: Projection of RCCV after June 1 – deficit that may be requested to be delivered after 10/1/2017

NRDs Management Actions for Compact Call Year 2017 Shortfall

NRD's Proposed Management Actions to Meet Resolution Commitment (20,000 ac-ft prior to June 1)

| Management Action | URNRD | MRNRD | LRNRD | Total |
|----------------------|--------|-------|-------|--------|
| NCORPE Aug | 5,050 | 1,900 | 3,800 | 10,750 |
| Rock Aug | 5,050 | | | 5,050 |
| Enders Release* | | 2,000 | | 2,000 |
| Culbertson Bypass | | 2,000 | | 2,000 |
| Riverside Retirement | | 1,450 | | 1,450 |
| NRD Total | 10,100 | 7,550 | 3,800 | 21,250 |

2017 Resolution Benefits!

- No Water Administration has been Necessary
- Nebraska mitigation in balance with Kansas water needs
- Certainty of allocation in HCL for Kansas water users
- Crediting for compact compliance activities
- Preserve water supplies for the future

Summary

- Where Have We Been
 - Almost two decades of disputes
 - Two trips to the United States Supreme Court
 - 2003 FSS
 - 2015 Decision
 - Four generations of IMPs
 - 2005
 - 2008
 - 2010
 - 2016

Summary

- **Where Are We Going**
- Multiple 3-state resolutions including the most recent long-term resolution
- Basin-wide plan development and implementation
- Continued improvements in water use efficiency and management
 - Canal system improvements
 - Improving coordination amongst water user groups
 - Identifying and implementing conjunctive management opportunities

Summary

- **Where Are We Going**
- Recent progress amongst the state's as well as resolution of many intrastate disputes has us pointed in a positive direction
 - No Compact Call Year water administration for the last three years
 - Improved water levels in reservoirs
 - Smoothing out Compact mitigation requirements
 - No unnecessary water releases
 - Stabilizing groundwater depletions

NEBRASKA



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