

Yolanda Sandoval

From: Pope, David L. <DPOPE@KDA.STATE.KS.US>
Sent: Friday, May 14, 2004 12:38 PM
To: KBID
Subject: RE: Conference Call

I think you summarized it pretty good. I am not sure Mike wants to be tied down, as he may want some wriggle room. I agree that we do not have any further room to give. We may not end up with a written set of criteria. Maybe not reaching agreement is OK (helps preserve our position), as long as the informal operation is workable and we can use most of the flow above 40 to get some water into Kansas for a little use and be prepared for the higher flows or storage release, if that comes into the picture.

Your idea about when to start accounting sounds OK. I was trying to prevent them from counting non delivery water diverted into the Courtland Canal, but there may not be a way to do that, depending on what Superior is doing with their water.

David

-----Original Message-----

From: KBID [<mailto:kbid@courtland.net>]
Sent: Friday, May 14, 2004 10:36 AM
To: Pope, David L.
Subject: Conference Call

David,

This mornings call did not bring us to conclusion but I think it did help highlight things. I think I heard Roger say he agreed that a small flow should be allow to enter Kansas if possible from the Courtland diversions. We just are going to have a hard time with Mike not being willing to tell his people that a small flow needs to pass them in order to give us some hope.

Another issue that was left open was when to start accounting. I believe it should start when we both have a demand for diversion to our canals and not upon delivery. I want some control to keep Mike from running water through his system and out waste/ways just to take the water. I visited with the BOR and they said they had been thinking along these terms with allowing a 7 day grace before starting the accounting to allow NBID to fill their system first. I think that is reasonable.

Thanks for your comments to Mike about us already bending quite a bit to try to cooperate when we don't agree. He is going back to that argument that they have people not receiving water so our people above Lovewell do not need any water either.

Mike's suggestion about a joint Board Meeting may be necessary if we don't agree. I talked to Spud after the conference and he feels like we have been doing everything to try to get along and keep giving in to what Nebraska is proposing. I don't think we have much give left in this idea of keeping a little flow going into Kansas.

Kenny