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Sent: Friday, May 14, 2004 2:08 PM
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Cc: Craig Scott; Gordon Aycok; Jaralyn (Jari) Beek; Stephen Ronshaugen; William Peck
Subject: Redraft of 2004 Bostwick operating agreement
Attachments: 2004 HCL Water Supply Criteria.DOC

As discussed on the conference call this morning, we have included a proposed article to the 2004 operating agreement that would address the point at which the accounting would begin. It is a new article c. in the document.

Marv

2004 Operations Criteria for the Kansas Bostwick Irrigation District
and the Bostwick District of Nebraska. (draft)

- 1) When water is needed for diversion at Guide Rock by either the Courtland or Superior Canals, Nebraska will close junior and require compliance with senior natural flow diversions of surface water as per the Republican River Compact final settlement stipulation (FSS). The districts will consult about when they plan to begin making irrigation deliveries and coordinate their operations to the extent possible to maximize the efficiency of use.
- 2) The Superior Canal will be allowed to divert the natural flow (i.e. gain below Harlan Co. Reservoir) up to its first water right of approximately 40 CFS, with a priority date of April 3, 1946. When the flow available at the diversion dam exceeds 40 CFS, then KBID and NBID may divert the entire amount above 40 CFS to the Courtland Canal, in accordance with a priority date of February 26, 1948. Diversions to the Courtland Canal will be shared on a pro-rata basis (based on the number of acres served by each district) over the course of the irrigation season as agreed to by NBID and KBID. Such sharing shall take into account the operating efficiency of the system.
- 3) When there is sufficient natural flow for the Superior Canal and Courtland Canal to both divert some natural flow at the same time, NBID and KBID may by agreement, rotate the available flows so that the net quantity available to each is the same as would otherwise be available to each during a given period, such as one week.
- 4) Natural flows delivered to the Superior Canal will be accounted as part of Nebraska's share of the Bostwick Division water supply. Likewise diversions by the Courtland Canal will be accounted, as appropriate, against the Kansas or Nebraska share of the Bostwick division water supply.
- 5) Nebraska will protect storage water released from Harlan County Lake for delivery at Guide Rock from surface water diversions in accordance with the FSS.
- 6) The criteria used in paragraphs 1 through 4 of this document are for the year 2004 only and shall be considered a trial arrangement. This document sets no precedent for any other period or interpretation of the Republican River Compact, contracts, agreements or rights of the irrigation districts, the States of Kansas and Nebraska, or the Bureau of Reclamation.
- 7) If storage water becomes available in Harlan County Lake, the storage water will be divided between NBID and KBID as described below.

Use of Harlan County Lake Water Supply for the 2004 Irrigation Season

This operating criteria is for the division of Harlan County Lake storage water between each canal of the NBID and KBID and is intended to maximize the use of the water supply should storage water become available for the 2004 irrigation season.

- a) Compute the water available for irrigation release from Harlan County Lake and Lovewell Reservoir.
- b) The following table is established to determine the storage or flows necessary to deliver 1 inch of water from the different sources to all of the lands under that canal:

Canal	Acres	Storage Req'd Harlan County (AF)	Storage Req'd Lovewell (AF)	Pickup Required At Div. Dam (AF)
Franklin	11262	2079		
Naponee	1628	237		
Franklin Pump	2106	299		
Superior	5972	1080		972
Courtland (NE)	1967	223		201
Total in Nebraska	22935	3918		
Upper Courtland (KS)	13378	2711		2440
Lower Courtland	29122	5975	4092	
Total in Kansas	42500	8686		

c) Accounting of natural flows into Superior and Courtland canals will begin seven days following the date of the initial diversion into Superior Canal. A seasoning period of seven days will be allowed without adjustments to the HCL storage accounts.

d) Compute the farm delivery to Superior and Courtland canals from natural flow based on the values from the table above.

e) Estimate the period of time that storage releases would be made from HCL so the delivery from pickup can be computed. Using values from the above table, compute the water supply from pickup for the lands served by Superior and Courtland (NE & KS) canals.

f) Using values from the above table determine the estimated inches of farm delivery to Lower Courtland Canal from Lovewell Reservoir. If the estimated farm delivery to Lower Canal is greater than the estimated farm delivery to the canals above Lovewell then no HCL storage water will be available to the Lower Courtland Canal.

g) Using the values in the above table determine the storage required by canal in Harlan County Lake so that deliveries can be equal to the inches of delivery in Steps d & e.

h) Determine the remaining storage available for irrigation release and convert to inches of available irrigation water for all lands.

i) Calculate the total storage water in Harlan County Lake that is assigned to each District.

j) Day to day calculations of releases, losses, pickup and usage will be made by Reclamation as described in the districts' 2000 Operations Agreement.