

**RESOLUTION  
OF  
THE REPUBLICAN RIVER COMPACT ADMINISTRATION  
REGARDING NEBRASKA'S N-CORPE AUGMENTATION PROJECT**

**Whereas**, the States of Kansas, Nebraska and Colorado entered into a Final Settlement Stipulation (FSS) as of December 15, 2002, to resolve pending litigation in the United States Supreme Court regarding the Republican River Compact (Compact) in *Kansas v. Nebraska and Colorado*, No 126 Original;

**Whereas**, the FSS was approved by the United States Supreme Court on May 19, 2003;

**Whereas**, by letter dated June 10, 2013, the State of Nebraska submitted to the State of Kansas and the State of Colorado a copy of the "N-CORPE Augmentation Project" plan (N-CORPE Plan), a copy of which is attached hereto and incorporated by reference as Exhibit A;

**Whereas**, the States held a working session of the Republican River Compact Administration (RRCA) on June 27, 2013, concerning the N-CORPE Plan;

**Whereas**, Nebraska's N-CORPE Plan has been properly presented and submitted to the RRCA pursuant to the FSS;

**Whereas**, on June 10, 2013, the State of Nebraska provided the State of Kansas and the State of Colorado notice that it wished to pursue "fast track" resolution of the issue;

**Whereas**, the N-CORPE Plan involves a project located outside of the moratorium area as specified in Subsection III.B.1.a.ii and III.B.1.b, and is therefore not subject to the provisions of III.B.1.k; however the appropriate credit for the project has been incorporated into the RRCA Accounting Procedures as an "Augmentation Credit" as indicated in Exhibit A;

**Whereas**, the measured pumping data collected in support of the N-CORPE Plan will be input into the RRCA Groundwater Model in conformance with the current RRCA Accounting Procedures for determining groundwater computed beneficial consumptive use and that same measured data will be utilized to represent the amount of discharge to Medicine Creek at the project outfall;

**Whereas**, Nebraska has developed a methodology to provide the appropriate Augmentation Credit referenced in Subsection IV.A. of the FSS, and that methodology has been submitted to the RRCA as part of the N-CORPE Plan;

**Whereas**, Section I.F of the FSS allows the RRCA to modify the RRCA Accounting Procedures in any manner consistent with the Compact and the FSS;

**Whereas**, the States agree that Nebraska’s proposed revisions to the RRCA Accounting Procedures outlined in the N-CORPE Plan are consistent with the Compact and the FSS and that the RRCA should adopt Nebraska’s proposed revisions; and

**Now, therefore**, it is hereby resolved that the RRCA approves and adopts the changes to the RRCA Accounting Procedures as presented in the State of Nebraska’s N-CORPE Plan attached as Exhibit A.

Approved by the Republican River Compact Administration this 9<sup>th</sup> day of July 2013.

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David Barfield, P.E.  
Kansas Commissioner  
Chairman

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Date

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Brian Dunnigan, P.E.  
Nebraska Commissioner

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Date

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Dick Wolfe, P.E.  
Colorado Commissioner

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Date