



# United States Department of the Interior

BUREAU OF RECLAMATION  
Great Plains Region  
Nebraska-Kansas Area Office  
1706 West 3rd Street  
McCook, NE 69001-2159

**APR 23 2013**

IN REPLY REFER TO:

NK-Thompson  
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**APR 25 2013**

**DEPARTMENT OF  
NATURAL RESOURCES**

David Barfield, P.E.  
Chief Engineer,  
Division of Water Resources  
Kansas Department of Agriculture  
109 SW 9<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Topeka, KS 66612-1283

Subject: Proposed Warren Act Contract for Carriage of Kansas Water through Bostwick  
Division, Pick-Sloan Missouri Basin Program, Nebraska and Kansas

Dear Mr. Barfield:

On January 1, 2013, the State of Nebraska Department of Natural Resources (NDNR) issued Storage Closure Notices on Reclamation's surface water reservoirs, including the Reclamation conservation pool in the U.S. Army Corps of Engineers (Corps) storage facility Harlan County Lake (Harlan County) a feature of the Bostwick Division.

On April 1, 2013, NDNR issued a Storage Release Notice on Reclamation's upstream reservoirs, however, the Notice did not include Harlan County. Reclamation has been releasing this 2013 water per this lawful order, and it is estimated that the releases from Reclamation's reservoirs should be completed about April 23, 2013. Reclamation has worked with NDNR and the State of Kansas to provide the most efficient and beneficial use of water within the Republican River Basin for Reclamation water users. Reclamation has been unable to reach an agreement with NDNR to continue to store water in Harlan County and provide the 2013 inflows to Kansas Bostwick Irrigation District.

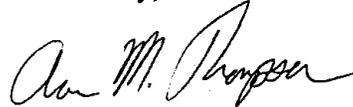
On April 15, 2013, the NDNR notified Kansas, Reclamation, and the Corps of NDNR's intention to call for releases through Harlan County on or about May 1, 2013. Should Kansas wish to exercise Article VI of the Republic River Compact, Reclamation can put forward a Warren Act Contract for the storage and carriage of up to 30,000 acre-feet of Kansas's water through federal facilities during times when excess capacity is available in the Bostwick Division.

In order for 2013 Compact water to be stored in Harlan County, Kansas will need to enter into a temporary Warren Act Contract with Reclamation as this is a Federal facility with the active conservation space controlled by Reclamation.

If Kansas does not wish to enter into a Warren Act contract, Reclamation will coordinate the releases with the Corps to comply with any lawful order from NDNR for release of water from Harlan County on or about May 1, 2013.

A proposed contract can be made available to Kansas by April 24, 2013, if Kansas wishes to exercise the Republic River Compact article. Please notify Aaron Thompson immediately to start this action at 308-345-1027.

Sincerely,



Aaron M. Thompson  
Area Manager

cc: Brian Dunnigan, P.E.  
Director  
NE Department of Natural Resources  
P. O. Box 94676  
Lincoln, NE 68509-4676

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State Engineer  
State of Colorado Division of Water Resources  
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Corps of Engineers  
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