

From: [Swanda, Marvin R](#)
To: [Thompson, Aaron M](#); [Esplin, Brent](#)
Subject: FW: KS v NE & CO
Date: Wednesday, November 24, 2010 8:17:31 AM

I think Gordon talked with John to let him know that we have a number of questions on how the IMPs would be administered that have not been addressed by DNR to date.

From: Swanda, Marvin R
Sent: Monday, November 22, 2010 1:37 PM
To: Chaffin, John; Aycock, Gordon L
Subject: Re: KS v NE & CO

The answer is yes the memo was based on the latest. Regarding the clarifications dnr has not addressed our questions we have with the implementation of the imp.

From: Chaffin, John
To: Aycock, Gordon L; Swanda, Marvin R
Sent: Mon Nov 22 12:01:53 2010
Subject: RE: KS v NE & CO

So, despite the clarifications on the intent of the application of the IMP, the IMPs performing as explained by DNR will not provide sufficient water for compliance OR will not provide sufficient water to provide BOR with its historical water supply?

From: Aycock, Gordon L
Sent: Monday, November 22, 2010 11:58 AM
To: Chaffin, John; Swanda, Marvin R
Subject: RE: KS v NE & CO

That would be my opinion. We have not received anything new on the IMPs since that time.

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From: Chaffin, John
Sent: Monday, November 22, 2010 10:49 AM
To: Aycock, Gordon L; Swanda, Marvin R
Subject: KS v NE & CO

I want to confirm that the memo of comments on the arguments of KS and NE provided the most current thoughts on the most current version of the IMPs.

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