

From: [Swanda, Marvin R](#)
To: [Gordon Aycock \(aycockg@gmail.com\)](#); [craigdscott@yahoo.com](#)
Cc: [Aycock, Gordon L](#); [Scott, Craig D](#); [Thompson, Aaron M](#)
Subject: Meeting with Kansas
Date: Friday, August 13, 2010 8:43:02 AM
Attachments: [NOTES--DNR Meet7302010 \(21.2 KB\).msg](#)

The meeting in Topeka on Tuesday is a go from 9-12 central time.

Gordon the state will get a call in number and may have something to follow along with on the computer. Will get that to you as soon as they email it..

Our notes of the DNR meeting and comments on the IMPs would be good background info to have available.

From: Swanda, Marvin R <MSwanda@usbr.gov>
Sent: Tuesday, August 10, 2010 9:06 AM
To: Thompson, Aaron M <AThompson@usbr.gov>
Subject: FW: NOTES--DNR Meet7302010
Attach: NOTES--DNR Meet7302010.docx

Aaron-Here are some draft notes from the July 30 meeting.

From: Swanda, Marvin R
Sent: Thursday, August 05, 2010 1:35 PM
To: Scott, Craig D; Aycock, Gordon L
Subject: NOTES--DNR Meet7302010

NOTES

Meeting with DNR

July 30, 2010

Attendees:

Reclamation—Marv Swanda, Craig Scott, and Gordon Aycock

DNR—Brian Dunnigan and Jim Schneider

A meeting was held with DNR in the Grand Island Office to review the Forecast Method as described in the revised IMPs. The purpose of this meeting was for DNR to share the results with us on how the forecast method and revised IMPs would work using the historic hydrologic data for the 1999-2008 period. This was a follow-up to the meeting held on July 9, 2010. The following are the points noted in the discussion.

- DNR believes these IMPs provide the most protection to surface water since the 1970s and will be beneficial in both the near-term and long-term.
- Jim Schneider reviewed the DNR powerpoint presentation that was given at the annual Forecasting Meeting in November, 2009. DNR applied the IMP evaluation process to the 1999-2008 hydrologic data to estimate Nebraska water supply and water use for the upcoming year.
- Based on the IMP Forecasting Method, 2002 would have been the first year a Compact Call would have been needed.
- Based on the proposed forecasting procedures, Compact Call years would have occurred during 2002 -2005.
- Curtailing the ground water use in the Rapid Response Area will decrease Nebraska's GWCU approximately 10,000 to 15,000 AF the first year. During consecutive years of curtailment, Nebraska will gain approximately 30,000 AF/yr of benefits from ground water curtailments.
- DNR stated that they did not attempt to speculate or analyze how the results of the ground water curtailments would have affected stream flows. They recognized they would have gained some additional benefits in stream flows from reduced GWCU but did not attempt to predict what their Compact balances would have been based on gains realized from reduced GWCU.
- DNR stated ground water controls would be implemented first in any Compact Call year to make up for any expected shortfall in the Compact balance. This would include NRD management actions and curtailing ground water in the Rapid Response Area as needed. Surface water would only be administered in the years when ground water controls would

not be sufficient to supply the expected shortfall. This is a significant difference in what we and others believed to be concerning the curtailment of SW.

- DNR indicated each of the NRD's use of groundwater will be limited, under the IMPs, to an amount that ensures Nebraska's Compact compliance in any one year. The IMPs do provide an exception to this if an NRD acquires another source of water to offset their groundwater use and thus stay within their Allowed Ground Water Depletion to stream flow which will provide Compact compliance.
- Reclamation noted this was new to us and was not how we anticipated the plan would work. Prior to this meeting, we understood that surface water would be administered (closing all natural flow and storage permits) along with ground water to make up any shortfalls.
- DNR will determine each NRD's share of any potential shortfall and propose adjustments in accordance with the IMPs.
- By definition pursuant to the revised IMPs... **Allowable Ground Water Depletions** – The maximum level of depletions to stream flow from ground water pumping within the Nebraska portion of the Republican River Compact area that can be allowed *without exceeding the [Nebraska's] Compact allocation, in any one year.*
- DNR noted they expected to administer surface water during Compact Call Years to protect any water resulting from NRD actions to ensure that water reaches a Compact stream gage.
- Dunnigan stated that they do understand the need for a healthy surface water supply for achieving compact compliance. Also mentioned was our testimony that was attached to the Kansas response to Nebraska.
- DNR expressed that they wanted Reclamation to review the accounting issues and how the Imported Water Supply Credit is handled that Nebraska brought to arbitration in 2009. Nebraska feels there is definite accounting issue that needs to be addressed in the RRCA accounting.