

Appendix L
Implementation of Additional Water Administration
Under Subsections V.A.2. and V.A.4

When the projected or actual irrigation supply is less than 130,000 acre-feet as determined by Subsection V.A.2. of the Stipulation, Nebraska will continue to limit diversions by senior permit holders to their permitted diversion rate in accordance with Nebraska law. In addition, if water is needed for direct diversions at Guide Rock, Nebraska will close all natural flow permit diversions of surface water junior to February 26, 1948, on the tributaries to and on the Main Stem of the Republican River between Harlan County Lake and Guide Rock unless a significant runoff event is occurring and is expected to produce runoff in excess of the useable diversion at the Superior-Courtland Diversion Dam or water can not be diverted due to an unusual operational problem. In such cases, Nebraska will notify the U.S. Bureau of Reclamation and Managers of Kansas Bostwick Irrigation District and Nebraska Bostwick Irrigation District that junior permits will be allowed to divert up to a specified flow rate not to exceed the average daily flow of water that would otherwise pass the Superior-Courtland Diversion Dam during the time of the event. If requested, the parties will promptly exchange information and attempt to resolve any concerns. At the end of the period specified in Nebraska's notice, Nebraska will again close all juniors unless conditions warrant an additional notice of Nebraska's intent to allow some junior permits to divert.

As indicated in Subsection V.A.4. of the Stipulation, Kansas and Nebraska agree to work with the U. S. Bureau of Reclamation to minimize the bypass flows at the Superior-Courtland Diversion Dam. If any party believes good faith efforts have not been made to minimize the bypass flows, it shall notify the other parties and a joint determination shall be made on action to implement V A 4.