

**PROPOSED PLATTE RIVER RECOVERY  
IMPLEMENTATION PLAN**

**APPENDIX A, WATER COMPONENT**

**TAB 1A**

**AN ENVIRONMENTAL ACCOUNT FOR STORAGE RESERVOIRS  
ON THE PLATTE RIVER SYSTEM IN NEBRASKA**

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**I. INTRODUCTION**

**A. Definitions**

1. "MOA" means the Memorandum of Agreement among the states of Colorado, Nebraska, Wyoming and the Department of the Interior dated June 1994, the Cooperative Agreement for Platte River Research and Other Efforts Relating to Endangered Species Habitats Along the Central Platte River, Nebraska (Cooperative Agreement) developed pursuant to that Memorandum of Agreement, and any Platte River Recovery Implementation Program (Program) implemented following that Cooperative Agreement.
2. "Governance Committee" means the committee designated in the Cooperative Agreement, or its successor governance body as it may be structured under the Program.
3. "Central" means the Central Nebraska Public Power and Irrigation District.
4. "NPPD" means the Nebraska Public Power District.
5. "Districts" means Central and NPPD.
6. "FERC" means the Federal Energy Regulatory Commission.
7. "Projects" means FERC Project 1417 and FERC Project 1835.
8. "NEDWR" means the Nebraska Department of Water Resources.
9. "Approved Storage Facilities" means a District facility or facilities proposed for EA storage in Nebraska by the Districts and approved by the Governance Committee and NEDWR.

10. "EA" means Environmental Account, an annual account of water in Lake McConaughy, or other Approved Storage Facilities, available for release for environmental purposes during the October 1 to September 30 water year.

11. "Current Regime of the River" means the flow characteristics of the North Platte, South Platte and Platte River drainage which are available under existing conditions, as defined by the Governance Committee, determined in accordance with procedures to be adopted pursuant to the MOA. The principal purpose will be to serve as a reference point for determining whether and how relevant flow characteristics are changed by the MOA or future developments.

12. "EA Manager" means an individual designated by the Regional Director of the U.S. Fish and Wildlife Service ("FWS") to manage and coordinate operations of the EA and to be responsible for calling for releases from the EA pursuant to such contracts as may be executed to meet the objectives of the MOA.

13. "New Water" means water which is not included in the Current Regime of the River, but which is the result of the management and operation of the MOA and is available for storage in the EA.

B. The EA makes storage in, and water from, Lake McConaughy or other Approved Storage Facilities available for instream flow releases and allows the manager of the EA the flexibility to make releases that are most efficient for accomplishing the goals set by the Governance Committee.

C. This document describes how water contributed becomes part of the EA. Contributions to the EA, defined in Paragraph II.B, may be from Colorado, Wyoming, Nebraska and/or from water conservation/supply activities carried out under the MOA, or from other sources approved by the Governance Committee.

D. Nothing in this document shall preclude any entity from exercising its state water rights to ensure those water rights are not reduced, relinquished or extinguished by failure to use.

E. Consistent with the guidelines below, and to the extent possible, water released from the EA should be used for as many beneficial uses as possible.

## II. ENVIRONMENTAL ACCOUNT

### A. General Description

1. Water contributed to the EA, regardless of its source, loses any separate identity upon entering Lake McConaughy or other Approved Storage Facility, and simply becomes part of the EA.
2. Water remaining in the EA after September 30 of each year may be carried over and added to the following year's contributions to the EA, subject to the limitations of Paragraphs II.A.3 through II.A.6 below.
3. The total quantity of water in the EA in Lake McConaughy may never exceed 200,000 acre-feet (af) at any time during the water year.
4. Whenever Lake McConaughy fills to regulatory capacity as defined by FERC's dam safety requirements for Project No. 1417 and the EA is less than 100,000 af, the Districts shall contribute additional water to increase the EA to 100,000 af regardless of the quantity of EA water already released during that water year.
5. At any time that Lake McConaughy reaches regulatory capacity as defined by FERC's dam safety requirements for Project No. 1417 and the EA exceeds 100,000 af, the EA shall be reduced to 100,000 af regardless of the sum of the contributions from the states and from Conservation Activities, or the quantity of carryover from a prior year.
6. Storage losses for Lake McConaughy and other Approved Storage Facilities shall be calculated by the NEDWR and assigned monthly to the EA using the following formula: ((average monthly storage in the EA) divided by the (average monthly storage in total)) times the total losses for the storage facility for that month, or by another mutually agreed upon formula.
7. Transportation losses for EA water shall be calculated by the NEDWR in the same manner as the NEDWR calculates such losses for other water in the North Platte and Platte Rivers.
8. Contributions to the EA shall be protected by the NEDWR from groundwater or surface water depletion from the state line or the source of contribution from within Nebraska to Lake McConaughy or other Approved Storage Facilities.

**B. EA Contributions**

1. Nebraska's Contributions

a. Central and NPPD

(1) The EA contribution by the Districts, and the water users served by them, is based upon the understanding that the flows available at Lewellen on the North Platte River and at the Korty Diversion on the South Platte River remain representative of the Current Regime of the River except for changes to the Current Regime of the River which are compensated, mitigated, or offset at Lewellen or the Korty Diversion pursuant to the MOA. A system will also be established to resolve disputes on detrimental impacts and appropriate compensation, mitigation or offsetting measures, including disputes arising after the Program has been implemented.

(2) Storable Natural Inflows are those North Platte River waters entering Lake McConaughy that are measured at the Lewellen gauge and that may be stored consistent with legal, regulatory or public safety restrictions. Flows which are not considered to be Storable Natural Inflows include: a) environmental contributions from Wyoming, Colorado, MOA Conservation Activities or other entities; b) transfers of storage water from upstream facilities; and c) demands based upon senior non-hydropower natural flow water rights.

(3) At the end of each month from October through April, the EA shall be credited with an amount equal to 10% of the Storable Natural Inflows to Lake McConaughy for that month, as determined by the NEDWR based upon the real-time gauge data available from the NEDWR for the Lewellen gauge, up to an annual limit of 100,000 af. The 100,000 af limit shall not be construed to affect the adjustment of the contents of the EA to 100,000 af when the reservoir fills, as described in Paragraphs II.A.4 and II.A.5.

b. Other Nebraska Contributions

Other Nebraska water contributions may be provided to the EA by the state or other water users through plans or programs that

are approved by the Governance Committee provided that: (1) the Districts are assured that as a result of a contribution, inflows into Lake McConaughy and flows at the Korty Diversion remain representative of the Current Regime of the River, except for changes to the Current Regime of the River impacting the Districts' operations which are compensated, mitigated, or offset pursuant to the MOA; and (2) these new contributions may be characterized by the NEDWR as New Water; and (3) those contributions may be stored in Lake McConaughy or other Approved Storage Facilities.

2. Wyoming's Contributions

a. New Water attributable to the State of Wyoming may be contributed to the EA through its "Pathfinder Modification Project" or other plans or programs that are approved by the Governance Committee.

b. It is anticipated that the Governance Committee in cooperation with the Wyoming State Engineer and the NEDWR will develop an accounting system for the purpose of defining and determining the amount of New Water at the state line attributable to the State of Wyoming under its Pathfinder Modification Plan or under any other plan which may be approved by the Governance Committee. The accounting system to be developed will include a system for resolving any disputes that may arise relative to the determination of the amount of New Water provided by the State of Wyoming to the EA.

c. Wyoming's contribution to the EA shall be the quantity delivered at the state line for MOA purposes, as defined in Paragraph II.B.2.b, less losses to the Lewellen gauge on the North Platte River as determined by the NEDWR.

3. Colorado's Contributions

a. New Water attributable to the State of Colorado may be stored in the EA under procedures developed by the Districts and Colorado and approved by the Governance Committee.

b. It is anticipated that the Governance Committee in cooperation with the Colorado State Engineer and the NEDWR will develop an accounting system for New Water attributable to the State of Colorado and delivered to the state line which, under the procedures developed

pursuant to Paragraph II.B.3.a above, is available to be stored in the EA under the Program. The accounting system to be developed will include a system for resolving any disputes that may arise relative to storage of New Water in the EA attributable to the State of Colorado.

4. Conservation Water

a. Activities carried out under the Program Water Conservation/Supply Component may contribute to the EA any quantifiable net conserved water, as defined and accounted for in the Water Conservation/Supply Action Plan, which can be controlled and credited to storage in Lake McConaughy or other Approved Storage Facilities.

b. The Governance Committee in consultation with the appropriate state water entity will develop an accounting system for the EA contributions developed by water conservation/supply activities, to include operational agreements with owners of the facilities in which these contributions will be stored. The accounting system developed will include a system for resolving any disputes that arise relative to the accounting process.

C. EA Operations

1. EA Committee and EA Manager

a. The EA Manager shall possess the authority to request releases from the EA pursuant to the terms of a contract with Central in the case of Lake McConaughy or with the appropriate District in connection with releases from other Approved Storage Facilities.

b. An EA Committee ("EAC") shall be organized by the EA Manager to work with and provide guidance to the EA Manager. The EA Manager shall invite representatives from Central, NPPD, U.S. Bureau of Reclamation ("BOR"), FWS, NEDWR, the Nebraska Game and Parks Commission, Colorado, Wyoming, the Audubon Society and the Platte River Whooping Crane Critical Habitat Maintenance Trust to participate in the EAC. The EA Manager shall meet with the EAC at least twice a year, in October and March, and more frequently at the discretion of the EA Manager.

c. Central shall release EA water from Lake McConaughy as requested by the EA Manager as it would for any other customer, and will coordinate with NPPD and the NEDWR regarding such releases.

Procedures and protocol will be developed as necessary to facilitate coordination of operations with EA releases.

d. In October of each year, in consultation with the EAC, the EA Manager shall establish flow targets and an annual operating plan for the EA based on predicted water supplies, the status of the species of concern and the goals set by the Governance Committee. Consistent with the FWS priority recommendations described in "Instream Flow Recommendations for the Central Platte River, Nebraska" and attached to "The Department of the Interior's Amended Comments under Section 10j of the Federal Power Act" dated August 11, 1994, a priority will be given to the use of EA water to maintain flows throughout the summer. Adjustments throughout the year to the operating plan would be expected to reflect prevailing conditions and increased knowledge of species needs.

e. To protect the EA water stored in and released from Lake McConaughy to and through the habitat area, and for Central to have the authority to contract with the EA Manager to make releases as directed, Central will use best efforts to seek and, if granted, to maintain storage use permits and other regulatory authorities as necessary. For other Approved Storage Facilities, the appropriate District shall likewise seek and, if granted, maintain storage use permits and other regulatory authorities as necessary. The Districts will not abandon or take any action which will reduce, relinquish or extinguish the storage use permit for the EA.

f. The EA Manager shall coordinate with the NEDWR and the Districts as necessary for NEDWR to perform accounting functions related to the storage and release of the EA.

2. General Rules for EA Operations

a. EA releases may be temporarily reduced or suspended if events occur which limit or prevent the Districts' ability to provide them. The types of events which would limit or prevent EA releases include but are not limited to inspections of facilities, maintenance or repair of structures, failure of a structure, or existence of an emergency condition which is not otherwise predicted. Weather related events such as icing conditions, regional or localized rain or snowstorms, flooding events and high wind conditions may also require the alteration or suspension of EA releases. No alteration or suspension of releases for these or similar types of occurrences will be deemed to be a lack of compliance. The



Districts will coordinate all planned safety and maintenance activities with the EA Manager, and will notify the EA Manager of all events which lead to reduction or suspension of releases. The Districts will maintain appropriate records of such events.

b. If an emergency situation occurs such that water must be evacuated (in whole or part) from Lake McConaughy, the EA shall be reduced in proportion to the ratio of the total quantity of water evacuated and total storage prior to the evacuation.

c. The EA Manager may not request releases from the EA when the Platte or North Platte River at Keystone, North Platte, Brady, Cozad, Kearney or Grand Island is at or above flood stage as defined for those locations by the National Weather Service ("NWS"). If the EA Manager requests a release of EA water that the Districts believe would cause the Platte or North Platte River to rise above flood stage, the request for release may be denied. However, the EA Manager may appeal the denial by requesting the NWS to make a determination as to whether or not the requested release would cause either of the rivers to rise above flood stage at any of the previously listed sites. If the NWS determines the requested release would cause either of the rivers to rise above flood stage, the denial would stand. If the NWS determines the requested release would not cause either of the rivers to rise above flood stage, the requested releases will be made.

### **III. OPERATING RULES FOR PROJECT NO. 1417 AND PROJECT NO. 1835**

#### **A. General Rules for Project Operations**

1. The operating rules for the Projects are based upon the understanding that flows available to the Districts in the North Platte and South Platte Rivers remain representative of the Current Regime of the River except for changes to the Current Regime of the River impacting the Districts' operations which are compensated, mitigated, or offset pursuant to the MOA. Procedures and processes developed in consultation with NEDWR and adopted by the Governance Committee shall be used to verify that such flows are not altered in a manner which causes impacts to either of the Districts' operations which are not compensated, mitigated, or offset pursuant to the MOA. Under the MOA, notwithstanding the foregoing, the obligations of Colorado and Wyoming are fully set forth in the Cooperative Agreement and the Proposed Program, and nothing in this EA document is intended to impose any additional or independent obligations, requirements, or restrictions of any sort on Colorado or Wyoming. For as long as there is a Program, if Colorado and Wyoming

reregulate flows in accordance with their proposed Tamarack Plan (Appendix A, Tab 3A) and Pathfinder Modification Plan (Appendix A, Tab 2A) and their respective new depletions proposals (Appendix A, Tabs 2B, 3B), existing and new water-related activities in Colorado and Wyoming will be included in the Current Regime of the River.

2. Operations plans for the Projects which include monthly release and storage goals shall be developed annually in October and modified as necessary by the Districts through the water year after communicating with the EA as described in Paragraph IV.D.

3. Neither release requirements, nor allocation of water to the EA, nor any other provision in this document is intended to relieve the Districts or their successors or assigns from complying with the terms of the May 21, 1954 Water Storage Agreement between Central and the Platte Valley Public Power and Irrigation District (NPPD's predecessor), and amendments thereto, except to the extent that this document is in direct conflict with the terms of the agreement. Additionally, the provisions of this document are not intended to prevent the Districts or their successors or assigns from further amending such agreement, provided such amendments are not inconsistent with this document. These operating rules are not intended to favor one District or the other.

4. The Districts shall have responsibility for determining predicted Storable Natural Inflows as referenced in Paragraphs III.B.1, III.C.1, III.D.1, and III.E.1 for the purposes of determining whether very wet, wet, transitional or dry conditions exist. Predicted Storable Natural Inflows, and the category of conditions anticipated, should be determined by October 15 of each water year and may be adjusted and refined by the Districts.

5. The Districts will use South Platte flows to the extent possible.

6. Whenever the use of surface water for irrigation in the Platte River valley ends before September 30, operational flows for Central and NPPD for the remainder of the water year shall be in the range specified for the preceding November 16 to February 14 time period.

7. Operational rules may be temporarily suspended if events occur which prevent operations in the manner prescribed. The types of events which would require suspension of the operating rules include, but are not limited to, inspections of facilities, maintenance or repair of structures, failure of a structure, hydraulic limitations of facilities or existence of an emergency condition which is not otherwise predicted. Weather related events such as icing conditions, regional or localized rain or snowstorms, flooding events and

high wind conditions may also require suspension of the operating rules. No alteration or suspension of the operating rules for these or similar types of occurrences will be deemed to be a lack of compliance. The Districts will coordinate all planned safety and maintenance activities with the EA Manager, and will notify the EA Manager of all events which lead to reduction or suspension of the operational rules. The Districts will maintain appropriate records of such events.

8. Releases from Lake McConaughy may be made as needed to supplement flows and river gains to meet irrigation requirements.

9. All EA water or other water made available to the Program for environmental purposes which must be released from or passed through Lake McConaughy or other Approved Storage Facilities may be diverted by the Districts, at their discretion, into Project facilities. The diverting District shall return the diverted environmental water to the river and shall replace any losses of water in excess of those which the NEDWR determined otherwise would occur if that water had been transported via the Platte River system. Although such water released or passed through may be used for as many beneficial uses as possible, neither EA releases nor pass through of environmental water are restricted by canal capacity or hydropower generation constraints.

10. Notwithstanding Paragraph III.A.9, if the total flow in the Platte River at Brady (currently measured by USGS gauge number 06766000) at any time in March or April of a very wet, wet or transitional year as defined below is less than 200 cubic feet per second (cfs), the EA Manager may request Central to route enough EA water through its Jeffrey Return such that the quantity released from the Jeffrey return plus the Platte River at Brady totals up to 200 cfs. The total volume of EA water released in this manner shall not exceed 3000 af in any one water year unless agreed to by Central.

11. The Districts shall pass through or release waters from Lake McConaughy as needed to supplement river flows and river gains to provide at least the lowest operational flows described in Paragraphs III.B through III.F, without taking into account and in addition to any releases being made from the EA. Such operational flows may be diverted by the Districts, at their discretion, into Project facilities.

12. Throughout the water year, the combined flow from the Keystone Diversion and the Korty Diversion shall provide an average of at least 400 cfs inflow to the Sutherland Reservoir and maintain an elevation of at least 3,045 feet in Sutherland Reservoir.

13. Diversions at the Korty Diversion Dam may be up to canal capacity.

14. The rules for the Projects' operations require the Districts to accept constraints on the use of a portion of their respective water rights. These rules were specifically based upon current upstream project operations and river conditions, and the Districts' contribution to the EA. The Districts shall have no obligation to accept further constraints on the use of their respective water rights for these operational rules if the reservoir contents of Lake McConaughy are subject to greater or more frequent fluctuations as a result of, or to accommodate, contributions to the EA from others. The Districts may take any dispute regarding additional constraints to the Governance Committee for resolution.

**B. Very Wet Conditions**

1. Very Wet conditions are defined as those circumstances when the total Lake McConaughy contents as of October 1, including the EA, plus the predicted Storable Natural Inflows from October 1 to March 31, exceed 2.1 million acre feet (maf).

2. Releases from Lake McConaughy in the non-irrigation season for diversion at the Keystone Diversion Dam should be at least 700 cfs and average at least 875 cfs.

3. Non-irrigation season releases from Lake McConaughy shall supplement river flows and river gains to provide for a minimum diversion at the Central Diversion Dam of 1000 cfs and an average diversion of at least 1600 cfs from October 1 through November 15, a minimum diversion of 800 cfs and an average diversion of at least 1000 cfs from November 16 through February 14, and a minimum diversion of 1100 cfs and an average diversion of at least 1400 cfs from February 15 through the beginning of irrigation season (use of surface water for irrigation below Lake McConaughy or Korty Diversion).

4. Requirements in Paragraphs III.B.2 and 3 are independent of each other and each must be met.

5. There shall be no upper limit on outflows from Lake McConaughy other than meeting the standards of safety and beneficial use.

**C. Wet Conditions**

1. Wet conditions are defined as those circumstances when the total Lake McConaughy contents, including the EA, equal or exceed 1.50 maf as of

October 1, or the total Lake McConaughy contents level as of October 1 plus the predicted Storable Natural Inflows from October 1 to March 31 is between 1.85 maf and 2.1 maf.

2. Releases from Lake McConaughy in the non-irrigation season for diversion at the Keystone Diversion Dam should be at least 700 cfs. If the October 1 lake level is less than 1.25 maf, diversions at the Keystone diversion in October may be at a reduced rate, but not less than 450 cfs.

3. Non-irrigation season releases from Lake McConaughy shall supplement river flows and river gains to provide for a minimum diversion at the Central Diversion Dam of 900 cfs and an average diversion of at least 1200 cfs from October 1 through November 15, and a minimum diversion of 800 cfs and an average diversion of at least 1000 cfs from November 16 through February 14, and a minimum diversion of at least 1000 cfs and an average diversion of at least 1240 cfs from February 15 through the beginning of irrigation season.

4. Requirements in Paragraphs III.C.2 and 3 are independent of each other and each must be met.

5. There shall be no upper limit on outflows from Lake McConaughy other than meeting the standards of safety and beneficial use.

6. Releases should be managed to allow Lake McConaughy to fill to approximately 1.5 maf by March 31 and to fill to licensed or authorized capacity thereafter. Filling to less than 1.5 maf by March 31 will be permitted if inflows expected after that date would cause reservoir spills or flooding downstream. After consultation with the EA Manager by the Districts as described in Paragraph IV.4, releases for diversion at the Central Diversion Dam may be reduced to the rates required in transitional conditions (Paragraph III.D.3) if necessary to allow Lake McConaughy to fill as provided in this paragraph.

**D. Transitional Conditions**

1. Transitional conditions are defined as those circumstances that exist between wet and dry conditions as they are defined in this document.

2. Non-irrigation season releases from Lake McConaughy for diversion at the Keystone Diversion Dam should be at least 450 cfs and average no more than 900 cfs (exclusive of EA releases) except as otherwise permitted herein.

3. Non-irrigation season releases from Lake McConaughy shall supplement river flows and river gains to provide for a minimum diversion at the Central

Diversion Dam of 900 cfs and an average diversion of at least 1000 cfs from October 1 through November 15, and a minimum diversion of 800 cfs and an average diversion of at least 950 cfs from November 16 February 14, and a minimum of diversion of at least 850 cfs and an average diversion of at least 1100 cfs from February 15 through the beginning of irrigation season.

4. Requirements in Paragraphs III.D.2 and 3 are independent of each other and each must be met.

5. There shall be no upper limit on outflows from Lake McConaughy other than meeting the standards of safety and beneficial use.

6. Releases should be managed to allow Lake McConaughy to fill to between 1.27 and 1.5 maf by March 31 with the goal to optimize reservoir storage taking into account whether the transition is from wet to dry or from dry to wet. After consultation with the EA Manager by the Districts as described in Paragraph IV.D, releases for diversion at the Central Diversion Dam may be reduced to the rates required in dry conditions (Paragraph III.E.3) if necessary to allow Lake McConaughy to fill as provided in this paragraph.

**E. Dry Conditions**

1. Dry conditions are defined as those circumstances when either the total Lake McConaughy contents, including the EA, as of October 1 plus the predicted Storable Natural Inflows from October 1 to March 31 is less than 1.55 maf, or the October 1 total Lake McConaughy content is less than 800 thousand acre-feet (kaf), but excluding those conditions defined as very dry in Paragraph III.F.1.

2. Non-irrigation season releases from Lake McConaughy for diversion at the Keystone Diversion Dam should average between 250 cfs and 700 cfs (exclusive of EA releases).

3. Non-irrigation season releases from Lake McConaughy shall supplement river flows and river gains to provide a minimum diversion at the Central Diversion Dam of 700 cfs and an average diversion of at least 900 cfs from October 1 through November 15, and a minimum diversion of 700 cfs and an average diversion of at least 850 cfs from November 16 through February 14, and a minimum diversion of at least 800 cfs and an average diversion of at least 960 cfs from February 15 through the beginning of irrigation season.

4. Requirements in Paragraphs III.E.2 and 3 are independent of each other and each must be met.

5. There shall be no upper limit on outflows from Lake McConaughy other than meeting the standards of safety and beneficial use.

6. Releases should be managed to impound between 250 kaf and 550 kaf during the non-irrigation season with a goal to optimize reservoir storage. After consultation with the EA Manager by the Districts, releases for diversion at the Central Diversion Dam may be at rates less than the average but not below the minimums specified in Paragraph III.E.3 if necessary to allow Lake McConaughy to fill as provided in this paragraph.

**F. Very Dry Conditions**

1. Very dry conditions are defined as those circumstances when the total Lake McConaughy content, including the EA, as of October 1 is less than 650 kaf.

2. Non-irrigation season releases from Lake McConaughy for diversion at the Keystone Diversion Dam should average between 250 cfs and 700 cfs (exclusive of EA releases).

3. Non-irrigation season releases beyond those required in Paragraph III.F.2 above shall be planned in consultation with the EA Manager and other customers to maximize multiple use of water and to share the effects of shortages. It is anticipated that irrigation season releases will be adjusted by the Districts and their customers consistent with existing policies and contracts to reduce water use to preserve future drought protection.

**G. Compliance Measurement**

1. Compliance with release requirements for diversion at the Keystone Diversion Dam shall be accomplished if the real-time mean daily average or non-irrigation season average gauge readings meet or exceed the requirements.

2. Central shall plan its operations to target mean daily flows at its diversion which meet or exceed minimum diversion requirements. In recognition of the distance involved and potential intervening factors affecting flows, compliance with release for minimum diversion requirements at the Central Diversion Dam shall be accomplished if either: 1) the real-time mean daily gauge reading less EA flows at that location meets or exceeds the required minimum minus 5 percent; or 2) the seven-day running average of the real-time mean daily gauge readings less EA flows meets or exceeds the required minimum. Compliance with releases for average diversion requirements at the Central Diversion Dam shall be accomplished within each period provided the

average for the period of real-time mean daily gauge readings less EA flows conforms with the required average. Neither the seven-day running average nor the period average shall be calculated including any day during which the operational rules were suspended pursuant to Paragraph III.A.7.

3. Details of measurement and accounting protocols to verify compliance will be developed by the Districts, the EAC and NEDWR.

#### **IV. COORDINATING RESERVOIR MANAGEMENT**

A. A Reservoir Coordination Committee ("RCC") shall be established to provide a forum to coordinate annual operation plans. This committee shall consist of one representative each from Central, NPPD, the EA Manager, BOR, Colorado, Wyoming and NEDWR. The RCC will coordinate operations plans and review reservoir accounting, inflow projections, storage and release goals and river monitoring methodologies.

B. The RCC shall meet at least annually and as often thereafter during the water year as is necessary to coordinate Central's and NPPD's water operations with the EA Manager's operation of the EA.

C. The RCC is for coordination purposes only. The Districts and the EA Manager retain the authority to develop their individual operations plans.

D. Central, as the operator of Lake McConaughy, and NPPD as the operator of the Sutherland project, shall communicate with the EA Manager in the manner the Districts communicate with other water users to facilitate effective day to day coordination. Central, NPPD and the EA Manager shall communicate as necessary to effectively coordinate their respective plans as they are implemented. The EA Manager shall be informed and provided background data if the Districts conclude it is appropriate to change the designation of the type of year before the plan is changed and related changes are made in required releases for diversion. The EA Manager also shall be informed as expeditiously as possible under the circumstances, should contingencies arise such as those described in Paragraphs II.C.2.a and b and Paragraph III.A.7. Increases or decreases in releases of operational flows or the EA shall be coordinated to ensure impacts to the hydraulic systems are minimized and beneficial uses maximized.