

Water is being released to Kansas from Harlan County Reservoir as part of Nebraska's ongoing efforts to comply with the three-state Republican River Compact.

The release of approximately 20,000 acre-feet of water from Harlan County Lake Wednesday, May 1, is expected to take approximately 15 days.

This action came after Kansas ultimately could not agree on a plan that would have allowed Kansas water users access to this water during future irrigation seasons.

"It was my hope that the State of Kansas and the Bureau of Reclamation could have worked out a plan over the past four months that would have benefitted basin water users by making this water available to them without compromising Nebraska's ability to comply with the Compact. This did not happen," Nebraska Department of Natural Resources (DNR) Director Brian Dunnigan said.

At the beginning of this year Department of Natural Resources officials determined additional water would need to flow into Kansas for compact compliance.

To carry out these efforts, DNR issued a "compact call" on surface water in the Republican Basin. This call required surface water irrigation districts in the basin to release all stored water that came in after Jan. 1. That amounted to more than 13,000 acre-feet released into the river to flow into Harlan County Lake.

Kansas recently expressed interest in having that water stored in Harlan County Lake so it could be used next year and possibly in 2015.

Jim Schneider, deputy DNR director, said Nebraska was agreeable to this option, bringing some flexibility to the situation.

Because the water would be stored in Harlan and not cross into Kansas, Nebraska wanted assurances from Kansas they would not challenge compact accounting for 2013 over the 20,000 acre-feet of stored water.

Schneider said Kansas refused so Nebraska made the decision to deliver the water now. He said Kansas is diverting about half of the flow into a canal system to feed Lovewell Reservoir. The other half is flowing downstream.

Schneider said this release will go a long ways to ensuring compact compliance with Kansas for the sixth straight year.

He said they are closely monitoring water supplies. If enough water is available, it's possible the compact call order could be lifted on surface water districts.

However, he said they are taking a very conservative approach because the amount of virgin water supply available to the states is not calculated until next year.

"It is unfortunate that these actions are necessary, but when these plans were being developed three years ago everyone anticipated dry years and that this day would likely come," Dunnigan said.

"I believe that Nebraska put a very reasonable solution on the table for the state of Kansas that would likely have benefited all water users in the basin, but Kansas appears to be much more concerned about the strict accounting result for 2013. So, we are left with no other options but to release the water so that the accounting books will balance.

"The risk of non-compliance with the compact is too great for Nebraska to wait until the end of the year to take these actions," he added.