



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

STEPHEN N. SIX
ATTORNEY GENERAL

February 8, 2008

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VIA EMAIL AND U.S. MAIL

Honorable Jon Bruning
Nebraska Attorney General
P.O. Box 98920
Lincoln, NE 68509-8920

**RE: *Kansas v. Nebraska & Colorado*
No. 126, Orig., U.S. Supreme Court**

Dear Attorney General Bruning:

Enclosed is a letter sent today by David Barfield, Chief Engineer of the Kansas Division of Water Resources, to Ann Bleed, Director of the Nebraska Department of Natural Resources. Mr. Barfield's letter submits to the Republican River Compact Administration the dispute between our two states over the proper remedy for Nebraska's admitted violations of the Republican River Compact and of the Final Settlement Stipulation (FSS), approved by decree of the United States Supreme Court in 2003.

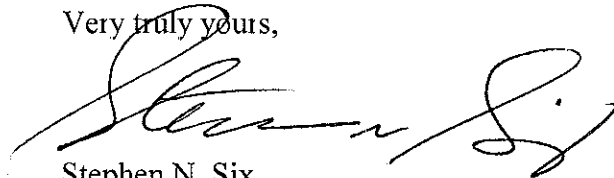
Now that the State of Kansas has formally begun the dispute resolution process, I want to emphasize how important I believe this issue is between our two states. While I welcome the opportunity to discuss our states' differences with you, I would expect our discussions to be after tangible, concrete steps are taken by Nebraska to cure its overuse of the Republican River waters. Moreover, Kansas would not allow any such discussions to delay the dispute resolution process.

Nebraska's response, presented through Ms. Bleed's letter, expresses minor concerns about Kansas' technical analysis in calculating Nebraska's overuse. It offers no real solution. Kansas cannot ignore the undisputed fact that Nebraska has consistently taken more than its share of water from the Republican River.

Honorable Jon Bruning
Nebraska Attorney General
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Kansas has been patient in waiting for Nebraska to take concrete action to reduce its overuse. Nebraska's failure to comply with the Compact and FSS is hurting Kansas farmers and communities. I am committed to protecting Kansas resources and ensuring our state receives our fair share of water. If Nebraska is unwilling to take action, we will ask the Court to impose remedies that ensure Kansans get the water they deserve.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen N. Six". The signature is fluid and cursive, with a large initial "S" and a long horizontal stroke.

Stephen N. Six
Attorney General

JMC/drw

Enclosure: Barfield letter of February 8, 2008 with attachments

cc: John Draper
David Barfield