

**Exhibit 8**

**Procedure for Reservoir and Storage Right  
Evaporation Losses**

### **Procedures for Reservoir and Storage Right Evaporation Losses**

#### **1. Background**

As a result of the Final Settlement Stipulation, the parties agreed to changes in the reservoir and storage evaporation loss provisions of Article V of the 1945 decree, as modified in 1953. The parties have agreed that such losses can be removed from Article V and instead placed in this procedure.

The reservoir and storage right evaporation methods described below shall be used by the NPDC in its operating procedures for the annual accounting of storage water. The NPDC may consider and approve modifications to the following procedures.

#### **2. Reservoir Evaporation Losses**

##### Seminole

Evaporation will be computed daily based upon evaporation from Weather Bureau Standard 4 foot diameter Class “A” pan located at Seminole during the irrigation season and using the Class “A” pan located at Pathfinder during the non irrigation season.

##### Pathfinder and Alcova

Evaporation will be computed daily based upon evaporation from Weather Bureau Standard 4 foot diameter Class “A” pan located at Pathfinder Reservoir.

Glendo

Evaporation will be computed daily based upon evaporation from Weather Bureau Standard 4 foot diameter Class "A" pan located at Glendo during the irrigation season and using the Class "A" pan located at Whalen Diversion Dam during the non irrigation season.

Guernsey

Evaporation will be computed daily based upon evaporation from Weather Bureau Standard 4 foot diameter Class "A" pan located at Whalen Diversion Dam.

For all of the above listed stations the daily pan evaporation will be multiplied by the area of the water surface of the reservoir in acres and by a coefficient of 70% to reduce recorded pan evaporation to the estimated equivalent open water surface evaporation.

**3. Distribution of Reservoir Evaporation Losses**

A one-day time lag will be used in computing the evaporation loss distributed to water stored under each storage right. Evaporation loss distributed today is considered to be equal to yesterday's total reservoir evaporation.

No evaporation loss will be distributed when water is being spilled from the system.

Pathfinder

The evaporation loss is computed as though all water stored under the Pathfinder Reservoir storage right is in Pathfinder Reservoir, except for that portion which may be in Guernsey Reservoir, which shall be computed at the same rate as that of Guernsey Reservoir.

Inland Lakes

Evaporation will be distributed against water stored for the Inland Lakes at the rate determined for the reservoir where the Inland Lakes water is temporarily stored before such storage is transferred to the Inland Lakes.

Guernsey

The evaporation loss is computed as though all water stored under the Guernsey storage right is in Guernsey Reservoir.

Seminole and Alcova

The evaporation loss to water stored under the Seminole and Alcova storage rights shall be the Seminole and Alcova Reservoir evaporation yesterday, plus the evaporation for Seminole and Alcova storage water stored in any other reservoir but accounted as in Seminole Reservoir, minus any evaporation loss attributed to storage held under contract for other entities by the Bureau of Reclamation in Seminole Reservoir.

Glendo

All evaporation from water stored under Glendo storage rights will be applied against the Glendo evaporation pool, unless storage for evaporation has been underestimated and evaporation encroaches upon the irrigation pool. In lieu of utilizing the irrigation pool for evaporation, the power head pool may be used when refilling of the power head pool has been allowed as an exception by the Wyoming State Engineer.

The evaporation loss to the water stored under the Glendo storage right is the total reservoir system evaporation minus that applied to other storage rights and minus any evaporation loss attributed to storage held under contract for other entities by the Bureau of Reclamation in Glendo

Reservoir.

In accordance with the operation of the reregulation space in Glendo Reservoir under Permit No. 5998 Res. and Certificate of Construction of Reservoir as clarified by the Wyoming Board of Control order entered November 29, 2000, water may be held in Glendo Reservoir in excess of the limitations stated in paragraph XVII (b) of the Modified Decree and may be used to replace evaporation from the water stored under storage rights of Pathfinder Reservoir, Guernsey Reservoir, Seminoe Reservoir, Alcova Reservoir, and Glendo Reservoir. Water that is accrued to the available reregulation space and stored at or above Alcova Dam in quantities greater than needed to provide operational water to make up for unintentional water passing the state line in excess of water needed to fill storage water orders by canals below the state line, is used to replace evaporation from the water stored under the Seminoe, Alcova, Pathfinder, Glendo and Guernsey storage rights, once the storage rights are filled, and until the first release of storage water occurs from any of these storage rights for diversion by canals at or above Tri-State Dam. Water that is accrued to the available reregulation space and stored below Alcova Dam in quantities greater than needed to provide operational water is used to replace evaporation from the water stored under the Glendo and Guernsey storage rights, once the storage rights are filled, and until the first release of storage occurs from either storage right for use at or above Tri-State Dam.