

Exhibit C

Email from Rich Moy to Jack Stults

November 30, 2001

Stults, Jack

From: Moy, Rich
Sent: Friday, November 30, 2001 3:05 PM
To: Stults, Jack
Subject: RE: Yellowstone Compact Commission Meeting

Jack: Just to let you know, the YR Compact contemplated large federal storage projects, like Yellowtail to be constructed at the interstate border to meet Montana's allocated share. Without such storage, the apportionment formula cannot work for Montana as it is based on diversions, not depletions; is accumulative from Oct 1 to any given time during the water year; and the apportionment occurs after the fact and at the confluence. Further, before you can divided the post-1950 water, you need a handle on pre-1950 water and that has never been done. The only reason I think Montana agreed to the compact was because of the potential in 1950 for the USBR to build large storage projects on the Powder and Tongue.

Someone will need to take the Big Horn stream flow and lake level management plan and integrate it with the Yellowstone River Compact. Rich

-----Original Message-----

From: Stults, Jack
Sent: Friday, November 30, 2001 2:32 PM
To: Kerbel, Keith; Robinson, Jim; Moy, Rich
Subject: FW: Yellowstone Compact Commission Meeting

FYI. I have a copy of the Plan if you need or want one.

Jack

-----Original Message-----

From: Bergan, Faye
Sent: Friday, November 30, 2001 10:58 AM
To: Stults, Jack
Subject: Yellowstone Compact Commission Meeting

Jack - I'm sorry I will be unable to attend the Yellowstone Compact Commission meeting next week. The Streamflow and Lake Level Management Plan is not yet effective, and will not be until the Compact is. As it stands now, finalizing the Compact will take some time. I look forward to meeting the new State Engineer from Wyoming and hope that this agenda item can be covered next year. If you have any questions, please call me at 6733. Faye

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