

provided that any water withdrawn below the minimum surface elevation established as of the date of the withdrawal in accordance with lawful instructions from the State Engineer or other such governmental entity, shall be replaced through the storage of natural flows by the Corporation within a reasonable time and without cost to the Division.

6. Allocation of Future Sedimentation Losses.

Future sedimentation losses shall be allocated to the parties in accordance with the following formula:

(a) All sedimentation actually deposited into the sedimentation pool space shall be allocated totally (100%) to the Division.

(b) Any sedimentation actually deposited into the fish conservation pool shall be shared one-half by the Corporation and the other one-half by the Division.

(c) Actual sedimentation deposited in the irrigation storage pool shall be allocated a one-third to the Division and two-thirds to the Corporation.

The parties acknowledge that these fractional shares are not in exact proportion to their actual allocated share of the reservoir's storage capacity, but they have agreed to this fractional division for the ease of administration. The actual storage capacity of the parties shall be reduced and the contour line established by paragraph 4 hereof shall be readjusted to reflect the increased actual sedimentation losses. Should the minimum elevation require adjustment, the adjusted level shall be calculated by the engineer chosen by the parties to conduct the siltation surveys as set forth in paragraph 7 hereof, and such new minimum elevation shall be set down in writing and attached as an amendment to this agreement.

7. Measuring of Future Sedimentation Losses.

Additional sedimentation will occur within the reservoir as a natural result of the operation of the reservoir and the impoundment of waters. The parties believe it generally will be desirable to conduct a sounding study at five (5) year