

KANSAS BOSTWICK IRRIGATION DISTRICT NO. 2

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11 October 2013

Mike Ryan, Regional Director
US Bureau of Reclamation
PO Box 36900
Billings MT 59107-6900

Dear Mr. Ryan:

I am writing you to express Kansas Bostwick's opinion regarding our recent discussions and interpretations of Warren Act water held under an Excess Capacity Contract between Kansas Bostwick and the Bureau of Reclamation.

This contract was developed in a hurry last May following the State of Nebraska's order to Reclamation and Reclamations concurrence to release water from Harlan County Lake. Reclamation insisted the only way to stop the release from Harlan County was for the District to contract for that "excess capacity" storage. We were convinced that if the year turned hot and dry, we would need some of that water for the 2013 season and agreed to contract accordingly.

We are now being told the contract would apply to water released after the 2013 irrigation season has come to a close and we will have to pay for those releases if we wish to store the water for the 2014 season in Lovewell Reservoir. We disagree with that interpretation.

None the less, in order to move forward at this time, we are changing our maintenance plans and will attack the canal problems that must be repaired before next watering season, at this time. We will consider our option to release the contracted water in Harlan at a later date.

For the Board of Directors



Kenneth Nelson
Superintendent