

BOSTWICK IRRIGATION DISTRICT IN NEBRASKA

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Ann Bleed
Dept. of Natural Resources
P.O. Box 94676
Lincoln, NE 68509-4676
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April 3, 2007

Subject: Memorandum of Agreement for Water

Dear Ms. Bleed,

At the April 3, 2007 board meeting the Board of Directors of the Bostwick Irrigation District in Nebraska reviewed the 2006 Memorandum of Agreement between the State of Nebraska Department of Natural Resources and the Bostwick Irrigation District in Nebraska. In addition to paragraph IV.B. discussed earlier it was also noted changes will need to be made to paragraphs II.A. and VI.A. The following paragraphs are suggested with the changes in bold font.

II.A. "Water Supply" shall mean the Water Supply determined by the U.S. Bureau of Reclamation (hereinafter "Bureau") under its water storage permit for Harlan County Lake as calculated and published by the Bureau for **March 5, 2007 (12,504 acre-feet)** according to the Harlan County Lake Operation Consensus Plan (hereinafter "Consensus Plan"), and natural flow that may become available for diversion at the Superior-Courtland Diversion Dam during the Irrigation Season.

IV.A. The State of Nebraska will pay the sum of **five million five hundred and eighty five thousand dollars (\$5,585,000.00)** as payment in full to purchase and/or lease the use of the District's Water Supply, within sixty (60) days of the execution of this Agreement. This payment compensates the District for the sale and/or lease of its Water Supply as defined above for the calendar year **2007** the State for the term of this Agreement. The State will also make a one time payment of sixty-four thousand five hundred dollars (\$64,500.00) to the District to assist the District in its payments of the annual operation and maintenance charges assessed by the U.S. Army Corp of Engineers. The District agrees to accept its computed share of those annual charges for such costs arising from the release of the Districts' share in accordance with a separate agreement between the District and Kansas Bostwick Irrigation District (hereinafter "Kansas Bostwick").

Respectfully,



Mike Delka, Manager

Bostwick Irrigation District in Nebraska

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DEPARTMENT OF
NATURAL RESOURCES