



Amendment #1
To
Inter-Local Cooperation Agreement Between the Tri-Basin
Natural Resources District and the Nebraska Department of
Natural Resources

WHEREAS, the Nebraska Department of Natural Resources (DNR) entered into an Inter-Local Cooperation Agreement (the Agreement) with the Tri-Basin Natural Resources District (TBNRD) on March 8, 2005; and

WHEREAS, the TBNRD has performed the tasks described in Attachment A to the Agreement in consideration for reimbursement of TBNRD's costs up to an amount specified in the Agreement; and

WHEREAS, the DNR has reimbursed the TBNRD for its costs pursuant to the terms of the Agreement; and

WHEREAS, the DNR's Rules Governing the Administration of the Water Resources Trust Fund provide that the Director of the DNR may, in his or her discretion, make any funds not required for payments pursuant to the Natural Resources Conservation Service's Environmental Quality Incentive Program (NRCS EQIP) available to Natural Resources Districts in the Republican River Basin for purposes of assisting such Districts in paying for costs expended in developing or implementing integrated management plans or attaining state compliance with an interstate water compact or decree or other formal state contract or agreement; and

WHEREAS, the Acting Director of DNR has determined that funds are available in the Water Resources Trust Fund that are not required for payments pursuant to the NRCS EQIP; and

WHEREAS, the TBNRD has made application to the DNR requesting assistance with costs pursuant to the Rules Governing the Administration of the Water Resources Trust Fund; and

WHEREAS, the Acting Director has determined that the expenses attached hereto as Addendum to Attachment A qualify for funding pursuant to the Rules Governing the Administration of the Water Resources Trust Fund.

NOW THEREFORE, the DNR and TBNRD agree to amend the Agreement to include the following additional terms:

1. TBNRD agrees that:
 - a. The tasks described in the Addendum to Attachment A were performed during fiscal year 2004-05 in order to develop and implement an integrated management plan or to attain state compliance with the Republican River Basin Compact and Decree; and
 - b. It shall bill DNR for the costs actually incurred by the District in providing the services described in the Addendum to Attachment A, the total amount not to exceed \$10,000.

Except as amended hereby, all of the terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this amendment on this the 29th day of August, 2005.

Tri-Basin Natural
Resources District

John Thorburn
Title: Gen. Mgr.

Nebraska Department of Natural Resources

Ann Bleed
Acting Director

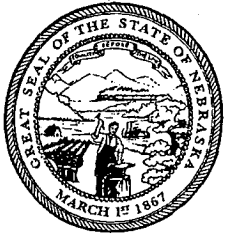
APPROVED

AS TO FORM & CONTENT
BY NDNR LEGAL COUNSEL

ADD DATE 8/30/05

**Addendum to Attachment A-Tri-Basin NRD Republican
River Settlement Implementation Costs
Fiscal Year 2004-05**

| Item | Cost | NRD Expense | Previous State Reimbursement | Reimbursement Request |
|----------------|-------------------|-------------------|------------------------------|-----------------------|
| Flowmeter c/s | \$7385.62 | \$7385.62 | \$0 | \$7385.62 |
| Public Notices | \$738.57 | \$738.57 | \$0 | \$738.57 |
| Postage | \$2306.56 | \$2306.56 | \$0 | \$2306.56 |
| Total | \$10430.75 | \$10430.75 | \$0.00 | \$10430.75 |



Dave Heineman
Governor

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
Roger K. Patterson
Director

September 9, 2005

IN REPLY TO:

John Thorburn, Manager
Tri-Basin NRD
Phelps County Ag Center
1308 – 2nd Street
Holdrege, NE 68949-2803

Dear John,

Enclosed you will find a fully executed Amendment #1 to the Inter-Local Cooperation Agreement for your records. Please contact me at (402) 471-3933 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Gayle".

Gayle Starr
Administrative Officer

Enclosure

clrshare\contracts

301 Centennial Mall South, 4th Floor • P.O. Box 94676 • Lincoln, Nebraska 68509-4676 • Phone (402) 471-2363 • Telefax (402) 471-2900

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