

**DEFINITIONS**

For purposes of the Agreement, the following terms are defined as follows:

- A. “Water Supply” shall mean the total amount of natural flow that would be available at the Headgate of Culbertson Canal during the 2006 irrigation season. (Based on a five-year average from 2001 to 2005 the diversions have approximately been 8000 Acre-Feet per year.) [*Both parties agree that the actual amount could be more or less than the 5-year average and the limit will be the actual amount.*]
- B. “Irrigation Season” shall mean the date beginning April 1, 2006 and ending December 31, 2006.

**THE STATE AGREES TO PERFORM AS FOLLOWS:**

A. The State of Nebraska will pay the sum of four hundred thousand dollars (\$400,000.00) to the District, as payment in full to purchase and/or lease the use of the District’s 2006 Natural Flow Water Supply, within sixty (60) days of the execution of this Agreement. This payment compensates the District for relinquishing the use of its natural flow water supply for the calendar year 2006 to the State for the term of this Agreement.

FVID  
Negotiations

Feb 23, 2006

Ann Bleed Brad Edgerton Jerry Kochweir  
Ann Diers Don Felker

Discuss offer to purchase FVID water for 2006  
H&RW issue because they have their own water rights  
with 1946 + 1954 priority dates

They will discuss with producers on March 8  
to discuss the potential for a deal.

**Mike Thompson**

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**From:** Brad Edgerton [ndwrcamb@swnebr.net]  
**Sent:** Thursday, February 23, 2006 11:20 AM  
**To:** ableed@dnr.state.ne.us  
**Cc:** Mike Thompson; Ann Diers  
**Subject:** Re: Frenchman Valley

Ann  
Culbertson (FV) canal has diverted 24% of their permitted rate (132.75 cfs) in July and 9% of their permitted rate in Aug. Based on the past 4 year averages.  
They have averaged 4.16 acre-inches per year using 40% canal efficiencies.

Riverside has diverted 56% of their permitted rate (9.6cfs) in July and 40% in Aug. Based on the past 5 year averages with 2002 being the worst at 0 cfs in July and Aug.  
They have average 14.55 acre-inches per year using 40% canal efficiencies.

Brad

=====  
Brad Edgerton

\_Nebraska Dept. of Natural Resources\_

Field Office Supervisor

Cambridge Field Office

Phone Number.... 308-697-3730

Fax .....308-697-3200

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=====  
Ann Bleed wrote:

>sounds good. Ann  
>

>-----Original Message-----

>From: Brad Edgerton [mailto:ndwrcamb@swnebr.net]

>Sent: Thursday, February 23, 2006 10:09 AM

>To: Ann Bleed; Mike Thompson; Ann Diers

>Cc: Mimi Lang

>Subject: Frenchman Valley

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>  
>Ann I told Don Felker that we would call him at 1:00 pm  
>Brad

>--  
>  
>=====

>Brad Edgerton

>\_Nebraska Dept. of Natural Resources\_

>Field Office Supervisor

>Cambridge Field Office

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**Privileged & Confidential Attorney-Client  
Communication And/ Or Work Product**

<b><u>Culbertson Canal Diversion</u></b>		
	Canal diversion (AF)	
	9250	Storage Release
	38.00%	%loss
	3515	Total Loss
	5735	Storage Diversion
	13560	Total diversion
2001	7825	Natural flow estimated
2002	8970	Natural flow only
2003	7990	Natural flow only
2004	8690	Natural flow only
2005	6573	Natural flow only
5 year average (Natural flow only)	8009.6	2001 - 2005
Price per acre-foot	50.00	
Total payment	\$400,480.00	

<b><u>Riverside Canal</u></b>		
	Canal diversion (AF)	
2001	3360	Natural flow only
2002	1460	Natural flow only
2003	1840	Natural flow only
2004	1440	Natural flow only
2005	2087	Natural flow only
5 year average	2037.4	2001 - 2005
Nebraska's percentage	\$50.0	
Nebraska's allocation	101870	

FVID Don Felker Ed Alberts  
 Feb. 22, Ann Diers Stan Goodwin - Attorney  
 Ann Bleed Jerry Kochwier  
 Mike Thompson Brad Edgerton

Have been taking water mostly in April, May & June  
 Ray Supalla est. 3" on smaller acres w/soybeans  $\approx$  \$63/AF

March 8, 2005 McCook water conference  
 with the NRDs

308-278-2125 FVID

\$100/af is what district want x 8000 AF  $\approx$  \$800,000  
 Prevented plant is utilized, so value is not just actual  
 water supply

~~\$60/AF~~ x 8000 AF = \$480,000 x <sup>Nebraska's allocation percent</sup> 0.76  $\approx$  \$364,800

Last 4 years 8055 AF avg.

\$50/AF x 8000 AF = \$400,000 bottom line from DNR

Feb. 22 Riverside Canal  
 Kermit Brown  
 Roger Kolbet

250.7 AF 5yr. Avg  
 5 year avg. 2037 AF - CREP/EQIP  $\approx$  1786.3 AF  
 They will call a special meeting Monday Feb. 27 to vote on:  
 \$100,000 is offer from State conditional  
 on appropriations. They'll call back on Feb. 28

**Mike Thompson**

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**From:** Brad Edgerton [ndwrcamb@swnebr.net]  
**Sent:** Wednesday, February 22, 2006 12:07 PM  
**To:** Ann Bleed; Ann Diers; Pam Andersen; Justin Lavene; Dave Cookson; Mike Thompson  
**Cc:** Mimi Lang  
**Subject:** Privileged and Confidential - Republican River Communications

Conference Call.

Please call my office and Frenchman Valley at 308-278-2125 to add us to the conference call at 2:00 pm this afternoon.

We will call Roger Kolbet shortly after to discuss Riverside Canal. Roger's number is 308-278-2239

Thanks  
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308-697-3730

=====  
Brad Edgerton

\_Nebraska Dept. of Natural Resources\_

Field Office Supervisor

Cambridge Field Office

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