

# FENNEMORE CRAIG, P.C.

1221 N Street, Suite 801  
Lincoln, Ne 68508-2016  
(402) 323-6200

Donald G. Blankenau  
Direct Phone: (402) 323-6201  
Direct Fax: (402) 323-6210  
dblankenau@fclaw.com

Law Offices  
Phoenix (602) 916-5000  
Tucson (520) 879-6800  
Nogales (520) 761-4215  
Lincoln (402) 323-6200

April 21, 2005

Stan Goodwin  
116 West C Street  
P.O. Box 607  
McCook, NE 69001

Re: Steve Crouse Property

Dear Stan,

Thank you for your letter of April 13, 2005. I will provide a copy of that letter to Mr. Crouse for his consideration although I am not sure I fully understand or agree with your position. Specifically, I contacted Brad Edgerton of the Nebraska Department of Natural Resources ("DNR") on April 19 regarding the issues raised in your letter. Brad informed me that all lands with a surface water right are limited only to the amount specified in the surface water appropriation. With respect to ground water allocations, that water may be used on any acres certified by the natural resources district, including lands which have a surface water appropriation. As I understand the Crouse situation, there may be lands that are irrigated by both surface and ground water. Those lands, as I understand from the DNR, may receive the full amount of their surface water appropriation and the full amount of their ground water allocation.

I am providing a copy of this letter to both Brad Edgerton and Tina Kurtz so they are aware of the situation and to avoid any confusion. Please let me know if I have missed the point of your letter or if any other concerns remain.

Sincerely,

FENNEMORE CRAIG, P.C.



Donald G. Blankenau

cc/enc: Steve Crouse  
Tina Kurtz  
Brad Edgerton

RECEIVED  
APR 22 2005  
DEPARTMENT OF  
NATURAL RESOURCES

DNR 005309

Law Offices of  
**STANLEY C. GOODWIN**

Stanley C. Goodwin  
Nathan A. Schneider

Telephone  
308 345-2580  
308 345-2581 (FAX)

116 West C. Street  
P.O. Box 607  
McCook, NE 69001

April 13, 2005

Donald G. Blankenau  
Fennemore Craig, P.C.  
1221 N. Street  
Suite 801  
Lincoln, NE 68508

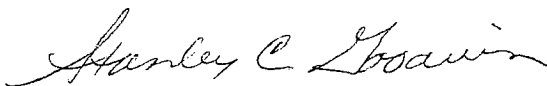
Re: Steve Crouse Property

Dear Don:

I am not sure whether Mr. Crouse is aware of the fact that the Natural Resources District has limited the application of water to certain property of his which is in part irrigated by Pioneer Irrigation District and in part by a well and pivot owned by Mr. Crouse. Pioneer has asked me to write to you regarding this matter so that they will not exceed the amount of water delivered to this property. It is my understanding that the limitation is 13 inches which is to be made up first from the allotted surface water and then supplemented by the well to the allotted amount.

If this is not your understanding, please let me know. Of course Mr. Crouse would have the option of abandoning the well and taking the entire amount of water to be applied to the land from Pioneer Irrigation District which would free him from NRD regulation.

Yours truly,



Stanley C. Goodwin

SCG:cjl

RECEIVED  
APR 22 2005  
DEPARTMENT OF  
NATURAL RESOURCES

REC'D D. BLANKENAU  
APR 15 2005  
ACTION

DNR 005310