



United States Department of the Interior



IN REPLY REFER TO:
NK-300
WTR-4.00 BSW

BUREAU OF RECLAMATION
Great Plains Region
Nebraska-Kansas Area Office
P.O. Box 1607
Grand Island, Nebraska 68802-1607

SEP 12 2007

Mr. David Combs
Chief of Planning
Kansas City District, Corps of Engineers
601 E. 12th Street
Kansas City, MO 64106

Subject: Water Control Manual Revision, Lovewell Reservoir, Bostwick Division, Pick-Sloan Missouri Basin Program, Kansas

Dear Mr. Combs:

The purpose of this letter is to follow up our recent conversation with Mr. John Grothaus and Mr. Ed Parker of your office concerning a proposed revision to the Lovewell Water Control Manual.

Lovewell Dam was constructed by the Bureau of Reclamation on White Rock Creek, near Lovewell, Kansas, for flood control, irrigation, and other conservation purposes. The conservation storage is operated by Reclamation, and the flood control storage operated by the U.S. Army Corps of Engineers (Corps).

Lovewell Dam and Harlan County Reservoir provide irrigation storage for the Nebraska and Kansas Bostwick Irrigation Districts. Since the early 1980's, Reclamation and the Corps have worked together to allow the use of a portion of the flood control pool for storage of irrigation water for short periods of time just prior to irrigation season. This short term flood pool storage has provided additional irrigation water to the Kansas Bostwick Irrigation District and reduced the irrigation releases that otherwise would have been made from Harlan County Lake (HCL).

It is our understanding that the annual deviation request/approval process for flood pool storage that has been utilized the last several years will not be continued in the future. It is also our understanding that future flood pool storage at Lovewell will require a formal revision to the Lovewell Water Control Manual by the Corps. Our McCook Field Office has been working with your office in the development of a procedure to be included in the revised Lovewell Water Control Manual. The proposed plan would utilize the accounting method from the HCL Consensus Plan to determine both the need and appropriateness of storing water in the Lovewell flood pool. The amount of flood storage used for irrigation will vary, based on the level of drought determined by the Consensus Plan accounting. Specifically, the calculation of available water supply will be made using the March 31 storage values in HCL. The maximum additional storage in the flood pool using this proposed plan at Lovewell Reservoir would be two feet.

It is our understanding that the next step in completing the revision to the Lovewell Water Control Manual is completing the necessary National Environmental Policy Act (NEPA)

document. Because of the importance of this additional storage as it relates to Compact compliance, Reclamation will provide your office any necessary support and assistance that we can in order for your office to complete the required NEPA activities for this proposed action at the earliest possible date.

Water deliveries and all water operations in the Republican Basin are of utmost concern to the States and our Districts. The completion and implementation of the revised Lovewell Water Control Manual is critically important to Reclamation, the Bostwick Irrigation Districts, and the States of Kansas and Nebraska. Since the implementation of the Republican River Compact Settlement began in 2003, the availability of irrigation supplies in the lower Republican Basin has been a significant concern. In 2006 and 2007 the State of Nebraska and the Republican River Natural Resource Districts in Nebraska have spent millions of dollars purchasing surface water to provide additional water to Kansas in an attempt to achieve Compact compliance.

Please let us know of any additional information or assistance that we may be able to provide to assist your office in the completion of this Manual revision. It is also requested that a draft timeline for the completion of the Manual revision be prepared so the Districts and States can be kept informed. Should the available water supply for 2008 be sufficient so as not to allow Lovewell flood storage based on the proposed Manual revision, that would allow additional time to complete the Manual revision. However, if flood storage could be considered for 2008 based on the projected supply, either a deviation request or Manual revision will no doubt be fully pursued by both the Districts and the States. We look forward to working with your office in this important matter. Any questions or concerns regarding this matter that involve water operations should be directed to Marv Swanda of our McCook Field Office (308-345-1027). Questions relating to NEPA issues should be directed to Mike Kube of this office (308-345-5321).

Sincerely,



Aaron M. Thompson
Area Manager

cc: Mike Delka, Manager
Bostwick Irrigation District in Nebraska
P.O. Box 446
Red Cloud, NE 68970-0446

Kenneth Nelson, Superintendent
Kansas-Bostwick Irrigation District No. 2
P.O. Box 165
Courtland, KS 66939-0165

PRES.	QH
SEC'Y	MD
TREAS.	BP
SUPT.	KN

MEMO

To: Kansas-Bostwick Irrigation District No. 2
Box 165, Courtland, KS 66939

From: Marv Swanda, Office Manager



Subject: 2007 construction and Water Service and O&M Charges

Date: July 5, 2007

Attached is your copy of the 2007 "Water Service and O&M Charges" and "Construction Charges".

Attachments – 2

PRES.	_____
SECY	BP
TREAS.	MD
SUPT.	KN

WATER SERVICE & O&M CHARGES
2007
NEBRASKA-KANSAS PROJECTS
Basic Farm Delivery and O&M Charges

DISTRICT		Per Irrigable Acre	Per Irrigated Acre	Basic Supply AF/ac.	Additional Water Per AF	Ad. Val. Tangible Prop. Tax	Collected By
Ainsworth		\$22.00	--	1.38	\$24.00 <u>1/</u>	--	District
Almena		\$14.00	--	1.00		--	Co. Treasurer
Bostwick (KS)		\$16.00					
	Above Lovewell	\$16.00					
	Below Lovewell #1 -	\$22.00 <u>2/</u>	--	1.25	--	--	Co. Treasurer
	#2 -	\$22.00	--	--		--	District
	#3 -	\$21.25					
	#4 -	\$21.25					
Bostwick (NE)		\$18.50 <u>3/</u>	--	1.00	--		District
Fr.-Cambridge		\$5.00-\$30.00 <u>4/</u>	--	1.00	--	--	District
Fr. Valley	#1 -	\$12.75	--	1.00	--	--	Co. Treasurer
	#2 -	\$12.10 <u>1/</u>	--	--	\$5.00 (early)	--	District
	#3 -	\$11.45			\$7.00 (late)		
Glen Elder		\$0.75	<u>5/</u>	--	--		District
H & RW		\$14.00 <u>6/</u>	--	1.00	\$7.00	--	District
Kirwin		\$24.00	--	1.00	--	--	Co. Treasurer
Mirage Flats		\$14.50	--	0.50	--	--	District
Twin Loups	#1	\$32.00	--	1.50	\$1.75 (Per acre-inch)	\$17.00	Co. Treasurer
						\$15.00	District
	#2	\$32.00	--	1.50	\$1.75 (Per acre-inch)	\$17.00	Co. Treasurer
						\$15.00	District
	#3	\$32.00	--	1.50	\$1.75 (Per acre-inch)	\$17.00	Co. Treasurer
						\$15.00	District
	#4	\$32.00	--	1.50	\$1.75 (Per acre-inch)	\$17.00	Co. Treasurer
						\$15.00	District
Webster		\$26.95	--	1.00	--	--	Co. Treasurer

1/ Unused additional water refunded.

2/ Varies with land class.

3/ Operating and Water Assessment charge of \$18.50 per acre. Assessment includes 2 inches of water, additional charge of \$2.00 per inch for next 3 inches, \$3.00 per inch for following 3 inches and \$4.00 per inch above 8 inches.

4/ Base charge of \$5.00 per acre for acres on Meeker-Driftwood, Bartley and Red Willow Canals.

Base charge of \$30.00 per acre for acres on Cambridge Canal.

5/ \$16.00 per Acre-foot.

6/ If District does not deliver water in 2007, there will be no charges.

Revised 7-03-07

**CONSTRUCTION CHARGES--2007
NEBRASKA-KANSAS PROJECTS**

DISTRICT & START OF CONSTRUCTION REPAYMENT	LAND Class 1/	Per Acre	Charges					Collected By
			Levy 2/					
			Value	Mills				
Almena	1/1/78	#1	\$3.84	--	--	--	County Treas.	
		#2	\$2.82	--	--			
		#3	\$1.50					
		#4	\$1.11					
Ainsworth	1/1/77	#1	\$9.86	--	--	District		
		#2	\$6.40	--	--			
		#3	\$5.03	--	--			
Bostwick in Kansas			<u>Blk.1</u>	<u>Blk.2</u>	<u>Blk.3</u>	<u>Blk.4</u>	<u>Blk.5</u>	County
Block I -	1/1/67	#1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Treas.
II -	1/1/70	#2	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
III -	1/1/71	#3	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
IV -	1/1/72	#4	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
V -	1/1/79							
Bostwick in Nebraska	1/1/67	#1	\$0.00	--	--	District		
		#2	\$0.00	--	--			
		#3	\$0.00	--	--			
Frenchman-Cambridge		#1	\$0.00	--	--	District		
		Block I -	1/1/67	#2	\$0.00		--	--
		II -	1/1/70	#3	\$0.00		--	--
		III -	1/1/75					
H & RW	1/1/73	All	\$0.00	3/	--	--	District	
Kirwin	1/1/65	#1	\$0.00	--	--	County Treas.		
		#2	\$0.00	--	--			
		#3	\$0.00					
Mirage Flats	1/1/51		No Construction Charges					
Twin Loups			\$8.95	Water Service		\$4.95	District & Co. Treas.	
Webster	1/1/72	#1	\$5.15	--	--	County Treas.		
		#2	\$3.90	--	--			
		#3	\$2.60	--	--			

+++++

1/ Bureau of Reclamation land class with the exception of Kansas-Bostwick Irrigation District, who established their own land class system.
2/ Values and mill levy are set by Irrigation District Board of Directors.
3/ New contract eliminates Construction Charges.

Revised 6-30-06



United States Department of the Interior



BUREAU OF RECLAMATION
Great Plains Region
Nebraska-Kansas Area Office
P.O. Box 1607
Grand Island, Nebraska 68802-1607

IN REPLY REFER TO:
NK-100
WTR-4.03 FRC

JUN 28 2007

Kenneth Nelson, Superintendent
Kansas Bostwick Irrigation District No. 2
P.O. Box 165
Courtland, KS 66939

Subject: Temporary Assignment of Project Water, Frenchman-Cambridge Irrigation District, Frenchman-Cambridge Division, Pick-Sloan Missouri Basin Program, Nebraska

Dear Mr. Nelson:

Enclosed for your records is a fully executed duplicate original "Temporary Assignment of Project Water from Frenchman-Cambridge Irrigation District to Kansas-Bostwick Irrigation District No. 2," dated June 21, 2007.

If you have any questions or need additional information, please contact me at the above address or telephone 308-389-5304 or Marv Swanda at our McCook Field Office, telephone 308-345-1027.

Sincerely,

Stephen F. Ronshaugen
Acting Area Manager

Enclosure

cc: Mike Delka, Manager
Bostwick Irrigation District in Nebraska
P.O. Box 446
Red Cloud, Nebraska 68970-0446
(w/enclosure)

PRES.
SEC'Y
TREAS.
SUPT.

GH
BP
MD
KN

DUPLICATE ORIGINAL

Temporary Assignment No. 1
Contract No. 009D6B0122

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
PICK-SLOAN MISSOURI BASIN PROGRAM**

**TEMPORARY ASSIGNMENT OF PROJECT WATER FROM
FRENCHMAN-CAMBRIDGE IRRIGATION DISTRICT
CONTRACT NO. 009D6B0122
TO
KANSAS-BOSTWICK IRRIGATION DISTRICT NO. 2
CONTRACT NO. 009D6B0120**

THIS Assignment made this 21ST day of JUNE, 2007, generally pursuant to the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or supplementary thereto, all collectively hereinafter referred to as the Federal Reclamation laws, between the UNITED STATES OF AMERICA, hereinafter called the "United States" acting through the Secretary of the Interior; the Frenchman-Cambridge Irrigation District, hereinafter called the "FCID", an irrigation district organized and existing pursuant to the laws of the State of Nebraska, with its principal place of business and office at Cambridge, Nebraska; Kansas-Bostwick Irrigation District No. 2, hereinafter called the "KBID", an irrigation district organized and existing pursuant to the laws of the State of Kansas, with its principal place of business and office at Courtland, Kansas; and the Republican River Basin Coalition, hereinafter called the "Coalition", established under the laws of the State of Nebraska, particularly Sections 13-801 et.seq. RRS, Nebraska. The United States, the above districts, and the Coalition hereinafter are referred to collectively as the "Parties".

a. WHEREAS, the United States has constructed the Frenchman-Cambridge Division of the Pick-Sloan Missouri Basin Program (P-SMBP), Nebraska, and the Bostwick Division of the P-SMBP, Kansas, pursuant to the Act of December 22, 1944 (58 Stat. 887), as set forth in House Document 475 and Senate Document 191, as revised and coordinated by Senate Document 247, 78th Congress, Second Session, to provide benefits for irrigation, flood control, sediment control, fish and wildlife enhancement, and recreation; and

b. WHEREAS, the United States and the FCID have entered into Contract No. 009D6B0122, dated July 25, 2000 for the furnishing of a project water supply, repayment and Operation, Maintenance and Replacement (OM&R) of the project water supply and distribution system; and

c. WHEREAS, the United States and KBID have entered into Contract No. 009D6B0120, dated July 25, 2000 for the furnishing of a project water supply, repayment and OM&R of the project water supply and distribution system; and

d. WHEREAS, the United States has an interest in and legal responsibilities with respect to the temporary assignment of project water, and has an obligation to ensure the uses of project water are in accordance with authorized purposes, existing contracts, and use of Federal facilities; and

e. WHEREAS, the FCID has entered into an agreement with the Coalition whereby the FCID has agreed that it will not utilize a portion of their existing project water supply for irrigation of FCID lands during the 2007 irrigation season; and

f. WHEREAS, the Coalition has entered into an agreement with the FCID to lease the rights to the use of storage and natural flow water available to FCID for beneficial use from Harry Strunk Lake to assist the State of Nebraska to meet its obligations under the Republican River Compact Settlement; and

g. WHEREAS, The delivery, protection, and accounting of the assigned water will be by the Nebraska Department of Natural Resources, pursuant to applicable state laws and regulations. However, the United States desires to reserve the right to protect its property interests if the delivery, protection, and accounting of the assigned water by the Nebraska Department of Natural Resources appears to reduce or diminish the water use benefits of the Bostwick Irrigation District in Nebraska's water supply that they would have received as a result of normal irrigation water deliveries from Harry Strunk Lake.

h. WHEREAS, the release of this water from Harry Strunk Lake will be made during the period of June 10, 2007 through September 1, 2007 in a manner that "mimics" normal irrigation season releases.

NOW, THEREFORE, in consideration of the mutual and dependent covenants herein contained, it is mutually agreed as follows:

1. This Assignment is authorized under Article 23 of Contract No. 009D6B0122 titled "Assignment Limited – Successors and Assigns Obligated" which provides "that no assignment or transfer of this Contract or any right or interest therein shall be valid until approved in writing by the Contracting Officer."

2. FCID will not utilize their existing project water supply for irrigation of FCID lands during the 2007 irrigation season as stipulated in the agreement with the Coalition.

3. The agreement between FCID and the Coalition is clarified in that the end use of the agreement's water supply has been identified in paragraph 6 of this Assignment.

4. This Assignment is a temporary, one-year assignment of the above-referenced water supply (2007 irrigation season ONLY).

5. The delivery, protection, and accounting of the assigned water will be by the Nebraska Department of Natural Resources, pursuant to applicable state laws and regulations. However, the United States reserves the right to protect its property interests if the delivery, protection, and accounting of the assigned water by the Nebraska Department of Natural Resources appears to reduce or diminish the water use benefits of the Bostwick Irrigation District in Nebraska's water supply that they would have received as a result of normal irrigation water deliveries from Harry Strunk Lake.

6. Pursuant to the accounting provisions identified in paragraph 5 of this Assignment, a portion of the above-referenced project water supply will be released from Harlan County Lake as necessary to provide irrigation water as may be requested by the KBID for the irrigation of KBID lands.

7. This Assignment will be in accordance with all other applicable Federal laws, including, but not limited to the National Environmental Policy Act and the Endangered Species Act, and must not impair the Secretary of the Interior's trust obligation to Native Americans.

8. The Coalition, the FCID, and the KBID, in carrying out this Assignment, shall comply with all applicable federal, state, tribal, and local laws, including, but not limited to, those concerning appropriation, diversion, storage, use of water, and changes of water rights.

9. KBID agrees to utilize the project water made available under this Assignment for irrigation of its project lands.

10. Except as herein provided, the terms and provisions of Contract No. 009D6B0122 and Contract No. 009D6B0120 will remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have signed their names the day and year first above written.

UNITED STATES OF AMERICA

By: 
Michael J. Ryan
Regional Director

Frenchman-Cambridge Irrigation District

Dale A. Cramer
President

(SEAL)

[Signature]
Secretary

Kansas-Bostwick Irrigation District No. 2

Gary L. Humble
President

(SEAL)

[Signature]
Secretary

Republican River Basin Coalition

[Signature]
Authorized Agent



United States Department of the Interior



BUREAU OF RECLAMATION

Nebraska Kansas Area Office

McCook Field Office

1706 West 3rd Street

McCook, NE 69001

JUN 4 2007

IN REPLY REFER TO:

NK-410
WTR-4.10

Kansas Bostwick Irrigation District No. 2
PO Box 165
Courtland, KS 66939-0165

Subject: Updated 2007 Available Water Supply (Franklin, Superior-Courtland and Courtland Units, Bostwick Division, Kansas, Pick-Sloan Missouri Basin Program)

Gentlemen:

The Bureau of Reclamation has established the shutoff content for Harlan County Lake (HCL) for the 2007 irrigation season as provided for in Attachment B to the Contract No. 009D6B0120 between the United States and the Kansas-Bostwick Irrigation District No. 2 in Kansas. The shutoff elevation using the actual May 31 data is 1928.86 ft. m.s.l.

Currently, the estimated total water supply from HCL that is available for irrigation release is approximately 74,807 acre-feet. The District's share of available water supply from HCL is 38,479 acre-feet.

This estimate is based on the assumption that inflow to HCL equals evaporation from the lake during the irrigation season.

If you have any questions, please contact this office at 308-345-1044.

Sincerely,

FOR *William E. Reed, Jr.*

Marvin R. Swanda
Office Manager

PRES.	<i>GH</i>
SEC'Y	<i>BP</i>
TREAS.	<i>MD</i>
SUPT.	<i>RN</i>



United States Department of the Interior



BUREAU OF RECLAMATION
Great Plains Region
Nebraska-Kansas Area Office
P.O. Box 1607
Grand Island, Nebraska 68802-1607

IN REPLY REFER TO:
NK-100
WTR-4.00 BSW

MAY 31 2007

Kenneth Nelson, Superintendent
Kansas Bostwick Irrigation District No. 2
P.O. Box 165
Courtland, KS 66939

Subject: Temporary Assignment of Project Water, Kansas-Bostwick Irrigation District No. 2, Courtland Unit, Bostwick Division, Pick-Sloan Missouri Basin Program, Kansas

Dear Mr. Nelson:

Enclosed for your review is the revised "Temporary Assignment of Project Water from Frenchman-Cambridge Irrigation District to Kansas-Bostwick Irrigation District No. 2" involving water releases from Harry Strunk Lake during the 2007 irrigation season.

The enclosed Assignment has been revised to add the Republican River Basin Coalition as a signatory to the Assignment and to revise other provisions relating to the accounting and protection of the project water being assigned.

It is our understanding that the District's Board has the review and approval of this Assignment as an agenda item for their June 5th Board meeting. If acceptable, the Board would need to pass a Resolution approving this Assignment and authorizing the execution of the Assignment by the appropriate District officials. The original and duplicate original Assignments will be provided prior to the meeting. The executed original and duplicate original Assignment, and the Resolution would need to be provided to this office. After the Assignment has been executed by the Regional Director, a duplicate original will be provided to you.

If you have any questions or need additional information, please contact me at the above address or telephone 308-389-5304.

Sincerely,


Stephen F. Ronshaugen
Acting Area Manager

Enclosure

PRES.	<u>GH</u>
SEC'Y	<u>BP</u>
TREAS.	<u>MD</u>
SUPT.	<u>KN</u>

ORIGINAL

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
PICK-SLOAN MISSOURI BASIN PROGRAM

TEMPORARY ASSIGNMENT OF PROJECT WATER FROM
FRENCHMAN-CAMBRIDGE IRRIGATION DISTRICT
CONTRACT NO. 009D6B0122
TO
KANSAS-BOSTWICK IRRIGATION DISTRICT NO. 2
CONTRACT NO. 009D6B0120

THIS Assignment made this _____ day of _____, 2007, generally pursuant to the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or supplementary thereto, all collectively hereinafter referred to as the Federal Reclamation laws, between the UNITED STATES OF AMERICA, hereinafter called the "United States" acting through the Secretary of the Interior; the Frenchman-Cambridge Irrigation District, hereinafter called the "FCID", an irrigation district organized and existing pursuant to the laws of the State of Nebraska, with its principal place of business and office at Cambridge, Nebraska; Kansas-Bostwick Irrigation District No. 2, hereinafter called the "KBID", an irrigation district organized and existing pursuant to the laws of the State of Kansas, with its principal place of business and office at Courtland, Kansas; and the Republican River Basin Coalition, hereinafter called the "Coalition", established under the laws of the State of Nebraska, particularly Sections 13-801 et.seq. RRS, Nebraska. The United States, the above districts, and the Coalition hereinafter are referred to collectively as the "Parties".

a. WHEREAS, the United States has constructed the Frenchman-Cambridge Division of the Pick-Sloan Missouri Basin Program (P-SMBP), Nebraska, and the Bostwick Division of the P-SMBP, Kansas, pursuant to the Act of December 22, 1944 (58 Stat. 887), as set forth in House Document 475 and Senate Document 191, as revised and coordinated by Senate Document 247, 78th Congress, Second Session, to provide benefits for irrigation, flood control, sediment control, fish and wildlife enhancement, and recreation; and

b. WHEREAS, the United States and the FCID have entered into Contract No. 009D6B0122, dated July 25, 2000 for the furnishing of a project water supply, repayment and Operation, Maintenance and Replacement (OM&R) of the project water supply and distribution system; and

c. WHEREAS, the United States and KBID have entered into Contract No. 009D6B0120, dated July 25, 2000 for the furnishing of a project water supply, repayment and OM&R of the project water supply and distribution system; and

d. WHEREAS, the United States has an interest in and legal responsibilities with respect to the temporary assignment of project water, and has an obligation to ensure the uses of project water are in accordance with authorized purposes, existing contracts, and use of Federal facilities; and

e. WHEREAS, the FCID has entered into an agreement with the Coalition whereby the FCID has agreed that it will not utilize a portion of their existing project water supply for irrigation of FCID lands during the 2007 irrigation season; and

f. WHEREAS, the Coalition has entered into an agreement with the FCID to lease the rights to the use of storage and natural flow water available to FCID for beneficial use from Harry Strunk Lake to assist the State of Nebraska to meet its obligations under the Republican River Compact Settlement; and

g. WHEREAS, The delivery, protection, and accounting of the assigned water will be by the Nebraska Department of Natural Resources, pursuant to applicable state laws and regulations. However, the United States desires to reserve the right to protect its property interests if the delivery, protection, and accounting of the assigned water by the Nebraska Department of Natural Resources appears to reduce or diminish the water use benefits of the Bostwick Irrigation District in Nebraska's water supply that they would have received as a result of normal irrigation water deliveries from Harry Strunk Lake.

h. WHEREAS, the release of this water from Harry Strunk Lake will be made during the period of June 10, 2007 through September 1, 2007 in a manner that "mimics" normal irrigation season releases.

NOW, THEREFORE, in consideration of the mutual and dependent covenants herein contained, it is mutually agreed as follows:

1. This Assignment is authorized under Article 23 of Contract No. 009D6B0122 titled "Assignment Limited – Successors and Assigns Obligated" which provides "that no assignment or transfer of this Contract or any right or interest therein shall be valid until approved in writing by the Contracting Officer."

2. FCID will not utilize their existing project water supply for irrigation of FCID lands during the 2007 irrigation season as stipulated in the agreement with the Coalition.

3. The agreement between FCID and the Coalition is clarified in that the end use of the agreement's water supply has been identified in paragraph 6 of this Assignment.

4. This Assignment is a temporary, one-year assignment of the above-referenced water supply (2007 irrigation season ONLY).

5. The delivery, protection, and accounting of the assigned water will be by the Nebraska Department of Natural Resources, pursuant to applicable state laws and regulations. However, the United States reserves the right to protect its property interests if the delivery, protection, and accounting of the assigned water by the Nebraska Department of Natural Resources appears to reduce or diminish the water use benefits of the Bostwick Irrigation District in Nebraska's water supply that they would have received as a result of normal irrigation water deliveries from Harry Strunk Lake.

6. Pursuant to the accounting provisions identified in paragraph 5 of this Assignment, a portion of the above-referenced project water supply will be released from Harlan County Lake as necessary to provide irrigation water as may be requested by the KBID for the irrigation of KBID lands.

7. This Assignment will be in accordance with all other applicable Federal laws, including, but not limited to the National Environmental Policy Act and the Endangered Species Act, and must not impair the Secretary of the Interior's trust obligation to Native Americans.

8. The Coalition, the FCID, and the KBID, in carrying out this Assignment, shall comply with all applicable federal, state, tribal, and local laws, including, but not limited to, those concerning appropriation, diversion, storage, use of water, and changes of water rights.

9. KBID agrees to utilize the project water made available under this Assignment for irrigation of its project lands.

10. Except as herein provided, the terms and provisions of Contract No. 009D6B0122 and Contract No. 009D6B0120 will remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have signed their names the day and year first above written.

UNITED STATES OF AMERICA

By: _____
Michael J. Ryan
Regional Director

Frenchman-Cambridge Irrigation District

(SEAL)

President

Secretary

Kansas-Bostwick Irrigation District No. 2

(SEAL)

President

Secretary

Republican River Basin Coalition

Authorized Agent



IN REPLY REFER TO:

NK-100
WTR 4.00 FRC

United States Department of the Interior

BUREAU OF RECLAMATION
Great Plains Region
Nebraska-Kansas Area Office
P.O. Box 1607
Grand Island, Nebraska 68802-1607



MAR 07 2007

Ms. Ann Bleed
Director of Natural Resources
PO Box 94676
Lincoln, NE 68509-4676

Subject: Temporary Assignment of Frenchman-Cambridge Irrigation District Contract No. 009D6B0122, Frenchman-Cambridge Division, Pick-Sloan Missouri Basin Program, Nebraska

Dear Ms Bleed:

Thank you for your letter dated March 1, 2007 (copy enclosed) confirming the State of Nebraska's consideration of leasing water from the Frenchman-Cambridge Irrigation District to help the State comply with the Republican River Compact.

It is our understanding that the water will be used for irrigation by the Kansas-Bostwick Irrigation District, which is within the Republican River Basin. Reclamation will work with Frenchman-Cambridge Irrigation District to assign the rights under their current contract on a one-year temporary basis to Kansas-Bostwick Irrigation District No. 2. Both irrigation districts will need to ensure Reclamation that all obligations will be met under their current contracts (Contract No. 009D6B0122 for Frenchman-Cambridge Irrigation District and Contract No. 009D6B0120 for Kansas-Bostwick Irrigation District). Any approval of the assignment would be based on the premise that it will not diminish or affect Frenchman-Cambridge Irrigation District's or the United States' water rights.

As was stated in your letter, either Reclamation or the State will need to consult with the U.S. Army Corps of Engineers (USACE) regarding the use of Harlan County Dam. Reclamation will make the initial contact to USACE and inform the State of any further action that is necessary.

It is our understanding that costs associated with National Environmental Policy Act (NEPA) compliance and the administration of the contract assignment will be borne by the State. The estimated time requirements and cost for this work is less than six weeks and less than \$10,000 with payment made in advance. Any funds advanced by the State that are not utilized will be returned within 60 days of the completion of the contract assignment and associated NEPA compliance.

It is important to note that the above procedure for the contract assignment, costs, and time requirements for processing the contract assignment-related work and NEPA work

KBID 000257

are specific to this request. The estimate is based on the concept of the utilization of storage water in a manner mimicking annual irrigation releases, a reservoir that fills each year, with little, if any, impact to recreation, fish, and wildlife benefits associated with the reservoir. Should a request for utilization of storage water from other project facilities be made, it needs to be noted that an approval procedure and NEPA requirements may significantly differ based on specific considerations.

If you have any questions regarding these contract assignments, please contact Stephen Ronshaugen at 308-389-5304.

Sincerely,



Acting For Alice E. Johns
Area Manager

Enclosure

cc: Roy Patterson, Superintendent
Frenchman-Cambridge Irrigation District
PO Box 116
Cambridge, NE 69022

Kenneth Nelson, Manager
Kansas Bostwick Irrigation District No. 2
PO Box 165
Courtland, KS 66939

Mike Delka, Manager
Bostwick Irrigation District in Nebraska
PO Box 446
Red Cloud, NE 68970

Rex Amack, Director
Nebraska Game and Parks Commission
PO Box 30370
Lincoln, NE 68503

Allen Toole
Kansas City District COE's
700 Federal Building
601 East 12th
Kansas City, MO 64106-2896
w/enclosure to all

PRES.	GLH
SEC'Y	BP
TREAS.	MD
SUPT.	KN



Dave Heineman
Governor



STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES
Ann Bleed

Stephen A. Ronshaugen
U. S. Department of the Interior
Bureau of Reclamation
Great Plains Region
P.O. Box 1607
Grand Island, Nebraska 68802-1607

NAME	INITIALS	Acting Director	DATE
Steve			
Jandy			
Mike			
Jack			
McCook	by cy		3/1
REMARKS:			

Dear Steve:

As we have discussed with you, the State of Nebraska is considering the options of leasing water from the Frenchman Cambridge Irrigation District to help the State comply with the Republican River Compact. The amount of water to be purchased would be around 26,000 acre feet or whatever would be available for irrigation out of Harry Strunk Reservoir this year. This amount would be accounted as outflow from the Harry Strunk Reservoir.

The water could be delivered either through the Cambridge Canal and then back to the river or through the river with the consumptive use portion of the water being protected from downstream surface water appropriators, through Harlan County Dam and down to Guide Rock for irrigation by the Kansas Bostwick Irrigation District. Irrigation use is considered to be a beneficial use of water in Nebraska. The water will be released in such a manor as to mimic the historic releases of water for irrigation from mid-June to late August.

The temporary leasing of this water will not diminish the water rights of the Frenchman Cambridge Irrigation District.

The State would be willing to consider paying the costs of NEPA compliance and the administration of the contract. However we cannot make a commitment to be responsible for these costs until we know what the costs are likely to be. Obviously either the Bureau or the State would have to consult with the U. S. Army Corps of Engineers. We would be willing to making any arrangement on the consulting that works best.

Thank you for considering this matter. If you have any questions please do not hesitate to call.

Sincerely,

Ann Bleed
Director of Natural Resources

cc: Roy Patterson
Brad Edgerton

administrative directors/bleed

070182



United States Department of the Interior



BUREAU OF RECLAMATION
Nebraska Kansas Area Office

McCook Field Office
1706 West 3rd Street
McCook, NE 69001

MAK 5 2007

IN REPLY REFER TO:

NK-410
WTR-4.10 BSW

Kansas Bostwick Irrigation District No. 2
PO Box 165
Courtland, KS 66939-0165

Subject: Updated 2007 Available Water Supply (Franklin, Superior-Courtland and Courtland Units, Bostwick Division, Pick-Sloan Missouri River Basin Program)

Gentlemen:

The Bureau of Reclamation has updated the estimated water supply from Harlan County Lake (HCL) for the 2007 irrigation season. Reclamation computed the projected irrigation supply from HCL for the 2007 irrigation season to be 20,162 acre-feet using the storage available on February 28, 2007. This estimate is based on the assumption that inflow to HCL equals evaporation from the reservoir during the irrigation season. The Districts' share of available release is indicated below:

<u>District</u>	<u>District Share (acre-feet)</u>
Kansas-Bostwick	7,658
Nebraska-Bostwick	12,504

A delivery estimate for each canal could be computed if your District provides Reclamation with your 2007 operating plans and estimated efficiencies for each canal system.

If you have any questions, please contact this office at 308-345-1044.

Sincerely,

Marvin R. Swanda
Office Manager

PRES.	<u>GH</u>
SEC'Y	<u>BP</u>
TREAS.	<u>MD</u>
SUPT.	<u>KN</u>



United States Department of the Interior



BUREAU OF RECLAMATION
Nebraska Kansas Area Office
McCook Field Office
1706 West 3rd Street
McCook, NE 69001
FEB 16 2007

IN REPLY REFER TO:

NK-410
PRJ-23.00 BSW

Mr. Kenneth Nelson
Kansas-Bostwick Irrigation
District No. 2
PO Box 165
Courtland, KS 66939

Subject: Monthly Water Distribution Reports - 2006

Dear Mr. Nelson:

Enclosed for your records are copies of the 2006 "Monthly Water Distribution" reports for the Courtland Canal above Lovewell, Courtland Canal below Lovewell, and the Kansas-Bostwick Summary.

Sincerely,

Marvin R. Swanda
Office Manager

Enclosures

PRES.	<u>GLH</u>
SEC'Y	<u>BP</u>
TREAS.	<u>MD</u>
SUPT.	<u>KN</u>

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MONTHLY WATER DISTRIBUTION

Canal: COURTLAND ABOVE LOVEWELL **District:** KANSAS-BOSTWICK IRRIGATION DISTRICT NO. 2 **Year** 2006
Project: Pick-Sloan Missouri Basin Program **Acres Irrigated During Season:** 5,925

Month	ACRE-FEET:													
	2	3	4	5	6	7	8	9	10	11	12	13	14	
	Kan-Bost Share Loss 0.7 - 15.1	Kan-Bost Share Loss 15.1 - 34.8	Kan-Bost Diversions below Stalentine	Net Supply	Main Canal Waste	Main Canal Losses	Delivered to Laterals*	Lateral Waste	Lateral Losses	From Main Canal**	Delivered From Lateral***	Total	Acres Per Acre****	
January	0	0	0	0	0	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0	0	0	0	0	0	0	0
May	35	25	15	75	0	60	0	0	0	15	0	15	0.003	
June	630	1,287	472	2,389	0	1,917	410	8	190	62	212	274	0.046	
July	927	1,219	4,368	6,514	0	2,146	3,985	193	1,410	383	2,382	2,765	0.467	
August	573	592	258	1,423	0	1,165	0	0	0	258	0	258	0.044	
September	77	76	41	194	0	153	0	0	0	41	0	41	0.007	
October	0	0	0	0	0	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2,242	3,199	5,154	10,595	0	5,441	4,395	201	1,600	759	2,594	3,353	0.57	
Acres ft. per acre****				1.79	0	0.92	0.74	0.03	0.27	0.13	0.44	0.57		
Percent Net Supply				100	0	51.4	41.5	1.9	15.1	7.2	24.5	31.6		

INSTRUCTIONS
 Columns 8+11=Column 4.
 Columns 2+3+4=Column 5.
 Columns 5-6-8-11=Column 7.
 Columns 8-9-12=Column 10.

NOTE: Nebraska canal loss as shared by Kansas-Bostwick included in this report.
 NOTE: Net Supply does not include losses incurred by Kansas Bostwick or USBR (to Lovewell).

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MONTHLY WATER DISTRIBUTION

Canal: COURTLAND BELOW LOVEWELL District: KANSAS-BOSTWICK IRRIGATION DISTRICT NO. 2
Project: Pick-Sloan Missouri Basin Program Acres Irrigated During Season: 22,655 Year 2006

Diversion from: Lovewell Reservoir													
Month	2	3	4	5	6	7	8	9	10	11	Delivered to Farms		Acres Feet Per Acre****
											From Lovewell Reservoir	From Other Sources	
January	0	0	0	0	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0	0	0	0	0	0	0
May	492	0	0	492	0	492	0	0	0	0	0	0	0
June	4,796	0	0	4,796	0	676	4,116	513	2,006	4	1,597	1,601	0.071
July	13,730	0	0	13,730	0	1,424	12,018	1,597	3,399	288	7,022	7,310	0.323
August	8,833	0	0	8,833	0	708	7,885	1,023	1,403	240	5,459	5,699	0.252
September	0	0	0	0	0	0	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	27,851	0	0	27,851	0	3,300	24,019	3,133	6,808	532	14,078	14,610	0.646
Acres ft. per acre****				1.23	0	0.15	1.06	0.14	0.3	0.02	0.62	0.64	
Percent Net Supply				100	0	11.8	86.2	11.2	24.4	1.9	50.5	52.5	

INSTRUCTIONS Column 2=Diversion amount exclusive of waste at head gates for sluicing.
 Columns 2+3+4=Column 5.
 Columns 5-6-8-11=Column 7.
 Columns 8-9-12=Column 10.

*Measured at lateral turnouts from main canal.
 **Measured at farm turnouts from main canal.
 ***Measured at farm turnouts from laterals.
 ****Use total acres irrigated during season to compute this column.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MONTHLY WATER DISTRIBUTION

Canal: KANSAS-BOSTWICK SUMMARY **District:** KANSAS-BOSTWICK IRRIGATION DISTRICT NO. 2
Project: Pick-Sloan Missouri Basin Program **Acres Irrigated During Season** 28,580 **Year** 2006

1 Month	2 Diversion from: Republican River & Lovewell Reservoir										3 ACRE-FEET:		4 Year	
	2	3	4	5	6	7	8	9	10	11	12	13	14	
	Total Allocated Above Lovewell	38.0	Inflow From Other Sources	Net Supply	Main Canal Waste	Main Canal Losses	Delivered to Laterals*	Lateral Waste	Lateral Losses	From Main Canal**	Delivered to Farms From Lateral***	Total	Acre Feet Per Acre****	
January	0	0	0	0	0	0	0	0	0	0	0	0	0	
February	0	0	0	0	0	0	0	0	0	0	0	0	0	
March	0	0	0	0	0	0	0	0	0	0	0	0	0	
April	0	0	0	0	0	0	0	0	0	0	0	0	0	
May	75	492	0	567	0	552	0	0	0	15	0	15	0.001	
June	2,389	4,796	0	7,185	0	2,593	4,526	521	2,196	66	1,809	1,875	0.066	
July	6,514	13,730	0	20,244	0	3,570	16,003	1,790	4,809	671	9,404	10,075	0.353	
August	1,423	8,833	0	10,256	0	1,873	7,885	1,023	1,403	498	5,459	5,957	0.208	
September	194	0	0	194	0	153	0	0	0	41	0	41	0.001	
October	0	0	0	0	0	0	0	0	0	0	0	0	0	
November	0	0	0	0	0	0	0	0	0	0	0	0	0	
December	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total	10,595	27,851	0	38,446	0	8,741	28,414	3,334	8,408	1,291	16,672	17,963	0.629	
Acre ft. per acre****				1.35	0	0.31	0.99	0.12	0.29	0.05	0.58	0.63		
Percent Net Supply				100	0	22.7	73.9	8.7	21.9	3.4	43.4	46.7		

INSTRUCTIONS
 Column 3=Diversion amount exclusive of waste at head gates for sluicing. *Measured at lateral turnouts from main canal.
 Columns 2+3+4=Column 5. **Measured at farm turnouts from main canal.
 Columns 5-6-8-11=Column 7. ***Measured at farm turnouts from laterals.
 Columns 8-9-12=Column 10. ****Use total acres irrigated during season to compute this column.



United States Department of the Interior



BUREAU OF RECLAMATION
Nebraska Kansas Area Office
McCook Field Office
1706 West 3rd Street
McCook, NE 69001
JAN 12 2007

IN REPLY REFER TO:

NK-410
WTR-4.10 BSW

Kansas Bostwick Irrigation District No. 2
PO Box 165
Courtland, KS 66939-0165

Subject: 2007 Available Water Supply (Franklin, Superior-Courtland and Courtland Units,
Bostwick Division, Kansas, Pick-Sloan Missouri River Basin Program)

Dear Mr. Nelson:

As provided for in Attachment B to the Contract No. 009D6B0120 between the United States and the Kansas-Bostwick Irrigation District No. 2 in Kansas, the estimated reservoir shutoff elevation for Harlan County Lake (HCL) is 1928.86 ft. This estimate is based on a net storage gain of 16,197 acre-feet in HCL from January through May.

Currently, there is no irrigation water available for release. In June, the final shutoff elevation will be established based on the actual end of May storage content. If the actual end of May storage content is greater than the estimated shutoff content, then some storage will be available for release. We will keep you informed if water becomes available.

Attached is an estimate of water availability for the 2007 irrigation season.

If you have any questions, please contact this office at (308) 345-1044.

Sincerely,

Marvin R. Swanda
Office Manager

Enclosure

PRES.	GAH
SEC'Y	BP
TREAS.	ND
DUPT.	KN

ESTIMATED WATER AVAILABILITY -- 2007

January 10, 2007

<u>DISTRICT</u>	<u>ESTIMATED FARM DELIVERY (INCHES)</u>
Mirage Flats	3.0
Ainsworth	Full Supply
Twin Loups	Full Supply
Frenchman Valley	0.5
H&RW	0.5
Frenchman-Cambridge	
Meeker, Red Willow & Bartley	3.5
Cambridge Canal	8.0
Almena	2.5
Bostwick In Nebraska	0.0*
Kansas-Bostwick	
Upper Courtland	0.0*
Lower Courtland	6.0*
Kirwin	3.5
Webster	.5
Glen Elder	Full Supply

*Estimates based on most recent delivery efficiencies.

NOTES: Inches of availability are estimates only and do not constitute a guaranteed delivery. These estimates are for the District's use in determining an estimate to supply to your water users. In water short districts the estimates would need to be adjusted if the district does not plan to deliver one inch of water each six or seven days.