

## KANSAS BOSTWICK IRRIGATION DISTRICT NO. 2

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13 May 2013

Dear Patron:

You may be aware the State of Nebraska has taken action according to a plan they developed to be in compliance with the Republican River Compact. Within their action, they have closed surface irrigation and reservoir storage rights in Nebraska in favor of moving that water to Kansas in 2013. They identified close to 20,000 af of water moved into Harlan County since the first of the year for compact purposes. The State of Kansas and Nebraska and the Bureau of Reclamation could not come to terms on storing that water for Kansas consequently Nebraska ordered the water released on April 30 to be evacuated by May 15.

As this water traveled down the Republican, we cut short maintenance we were doing on the Courtland Canal from Guide Rock to Lovewell, in favor of diverting as much as we safely could down the Courtland and into Lovewell. Along with this action, we made a proposal to the State of Nebraska with certain commitments that met with their approval. What we weren't able to secure that the State of Kansas had tried to secure was carryover of some of this water for 2014. This was the biggest obstacle in the attempted negotiations between the states. If there is any carry over water, discussions can be held later in the year but as it stands today, it will likely be diverted to Kansas in the months after the irrigation season is over.

With an Agreement in concept with the State of Nebraska, we had to negotiate with the Bureau of Reclamation regarding storage and use of this water. The Bureau does not view this water as project water. There remain things we disagree with the Bureau on in many definitions but in order for us to store and use this water, we had to sign a Warren Act Contract with them whereby for a very reasonable cost, we could store and use this water specifically for Kansas Bostwick if and when needed.

By taking the above action we have secured an adequate supply for the 2013 irrigation season. Some of this water if used will cost us more than we annually anticipate. This gives us assurance if the season turns off hot and dry that a good supply of water will be available to the Kansas Bostwick Irrigators.

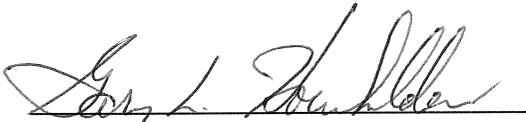
We now feel comfortable in raising the restriction from 9"/acre to 12"/acre. We certainly believe all our irrigators will be as conservative as possible and not use more water than necessary for their crops. We also feel this will give you the ability to prevent crop losses by insufficient irrigation when needed.

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The water that we have the ability to purchase will be returned to the control of the State of Nebraska at the end of the irrigation season if their compact call is still on. If we do not purchase the water, it will likely be released at that time. This is a 1 year temporary contract. Unless unusually good rain events occur up stream in Nebraska, more activity regarding compact compliance will be needed next year. For now the releases from Harlan County have been shut off and that water will be available for our use in 2013. We will need to worry about next year later.

If you have any questions, feel free to contact our office.

Sincerely,

  
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Gary Housholder – President

  
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Brad Peterson – Secretary

  
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Monty Dahl - Treasurer