

KANSAS BOSTWICK IRRIGATION DISTRICT NO. 2

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RECEIVED

DEC 09 2013

DEPARTMENT OF
NATURAL RESOURCES

December 3, 2013

Aaron Thompson, Area Manager
US Bureau Of Reclamation
1706 W 3rd St
McCook, NE 69001-2159

Dear Mr. Thompson:

We are in receipt of your November 22 letter in reply to our November 14 inquiry regarding refilling Lovewell and irrigation above Lovewell for 2014. Your scenarios rely upon minimum reasonable flows which appears realistic at this time. I do remember years of less than reasonable flows but don't believe those will occur unless the winter turns hot and dry. We are hopeful the gate repairs can be accomplished in the time frame suggested for canal dry up and hope there is a method of storing water in Harlan County during this time frame.

Your answer to irrigation above Lovewell was no answer at all. Harlan County is part of the Bostwick project including the operations of Lovewell and irrigation both above and below Lovewell in Kansas. It is our opinion that you have authority to store this water as Kansas water for Kansas Bostwick Irrigation District. If these 2014 operations mimic the 2013 operations, we will find ourselves having to buy the water the State of Nebraska is sending to Kansas in order to serve our irrigators. We have disagreed with this concept but have been forced to pay for the water over and above the O&M charges we currently pay, if we want to maintain a successful irrigation district. I will remind you we have very little ground water in our area with our irrigators being totally dependent upon the flows of the Republican coming from Nebraska and storage in Harlan County. The state of Nebraska has indicated a desire for the flows they are sending to Kansas to be usable by Kansas Bostwick. The State of Kansas agreed in 2013 that evaporation on the water stored in Harlan County could be charged to Kansas. Whatever the differences are between the States they need to be resolved due to the uncertainty of the water supply. We would call on the Bureau as our contracted partner and as a member of the Republican River Compact to meet together with the decision maker of both States and hammer out an agreement to allow us to store water in Harlan County as Kansas project water to satisfy compact compliance. The meeting should require the least amount of people possible with a serious intent to solve the problem of storing water in Harlan County for the purpose of compact compliance in an efficient and cost

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Aaron Thompson, Area Manager

effective way. The efforts should not stop until such an agreement is reached. It is totally unfair for Kansas Bostwick to pay for the water the State of Nebraska has developed in their plan to deliver water to Kansas.

This letter can be considered our request to continue releases from Harlan County until we request them shut down. Once we use the paid balance we would expect to be charged for the release until a shut off request is given. At any time when enough water has been released to satisfy the State of Nebraska's needs for compact compliance, a shut off should be made.

For the Board of Directors

Sincerely,

A handwritten signature in cursive script that reads "Kenneth Nelson".

Kenneth Nelson
Superintendent

CC: Senator Pat Roberts
Senator Jerry Moran
Congressman Tim Huelskamp
David Barfield
Brian Dunnigan