

AGREEMENT

WHEREAS, Nebraska Public Power District, Columbus, Nebraska, a public corporation and political subdivision of the State of Nebraska, is the holder of a right-of-way easement for electric lines across lands which are included in the North Half (N $\frac{1}{2}$) of the North Half (N $\frac{1}{4}$) of the North East Quarter (NE $\frac{1}{4}$) Section 24, Township 21 North, Range 10 East of the 6th P.M., and East Half (E $\frac{1}{2}$) of the South West Quarter (SW $\frac{1}{4}$) and the South East Quarter (SE $\frac{1}{4}$) of Section 13, Township 21 North, Range 10 East of the 6th P.M., Burt County, Nebraska, which easement was recorded in Book 20 of Miscellaneous, Page 509, in the office of the County Clerk of Burt County, Nebraska; and

WHEREAS, the Middle Missouri Tribes Natural Resources District is considering the construction of flood water detention structure designated as Structure 22-A in the Tekamah Mud-Creek Watershed Project, and approximately $\frac{1}{2}$ mile of single pole transmission power line located on said easements of Nebraska Public Power District will be inundated during flood conditions by the aforementioned flood detention structure; and

WHEREAS, the Middle Missouri Tribes Natural Resources District has requested the relocation of said power line to new location adjacent to county road approximately as shown on Exhibit A which is attached hereto and incorporated herein by reference, and is in the process of or has obtained land rights in connection with said Structure 22-A for said purposes:

NOW, THEREFORE, in consideration of the benefits to accrue to said lands and the covenants, conditions, and agreements herein contained, Nebraska Public Power District hereby agrees to relocate it's line(s) on easements and rights-of-way over the lands described above (approximately as shown on Exhibit A). Middle Missouri Tribes Natural Resources District has obtained or will obtain interests in said lands in connection with said Structure 22-A for the purpose of temporarily and permanently storing water and flood waters. Nebraska Public Power District will obtain new easements for the new line at the final locations and abandon existing easements where the present line is removed.

Middle Missouri Tribes Natural Resources District agrees that it shall at all times exercise all due care and diligence to avoid injury or damage to the property of Nebraska Public Power District, and shall indemnify and save harmless Nebraska Public Power District from any injury, death, damage, or loss to the person or property of any person whomsoever, arising or occurring by reason of the aforesaid construction of said flood water detention structure, or the operation, maintenance or inspection thereof.

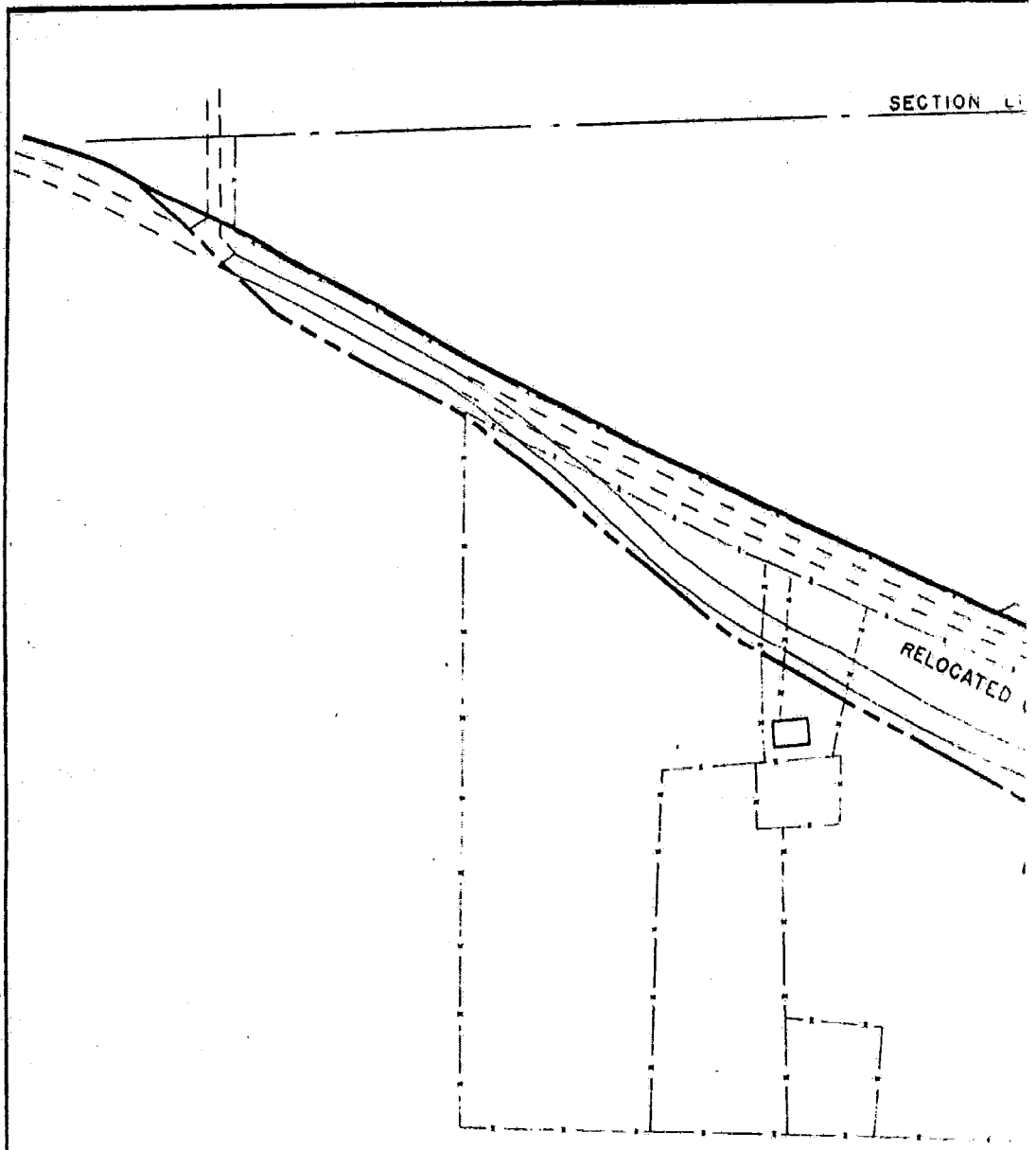
Middle Missouri Tribes Natural Resources District hereby agrees that this Agreement and the foresaid construction, operation, maintenance or inspection makes it necessary for alteration, protection and rearrangement of poles, structures, conductors or facilities of Nebraska Public Power District, the cost of such change, alteration, protection or rearrangement, presently (and in the future, if in the sole judgment of NPPD any are required) shall be paid by the Middle Missouri Tribes Natural Resources District to Nebraska Public Power District upon demand and as directed by Nebraska Public Power District. Nebraska Public Power District agrees to complete line relocation within sixty (60) days upon completion of it's required engineering and of being notified by Middle Missouri Tribes Natural Resources District that construction will begin.

It is understood and agreed that this Agreement shall not subordinate or in any way affect the easements of Nebraska Public Power District with respect to any other property, nor shall it affect any other easement. It is further understood and agreed that this Agreement shall not affect the privilege and easement of ingress and egress to Nebraska Public Power District for any purpose necessary in connection with the construction, operation, maintenance, inspection and removal of its electric lines.

In the event that the Middle Missouri Tribes Natural Resources District fails to construct said flood water detention structure, or should said lands not be used by the Middle Missouri Tribes Natural Resources District as herein contemplated, this Agreement shall be null and void and without force or effect as if the same had not been granted, except in the event Nebraska Public Power District

SECTION L

RELOCATED



REVISIONS	
NO.	

44

K X

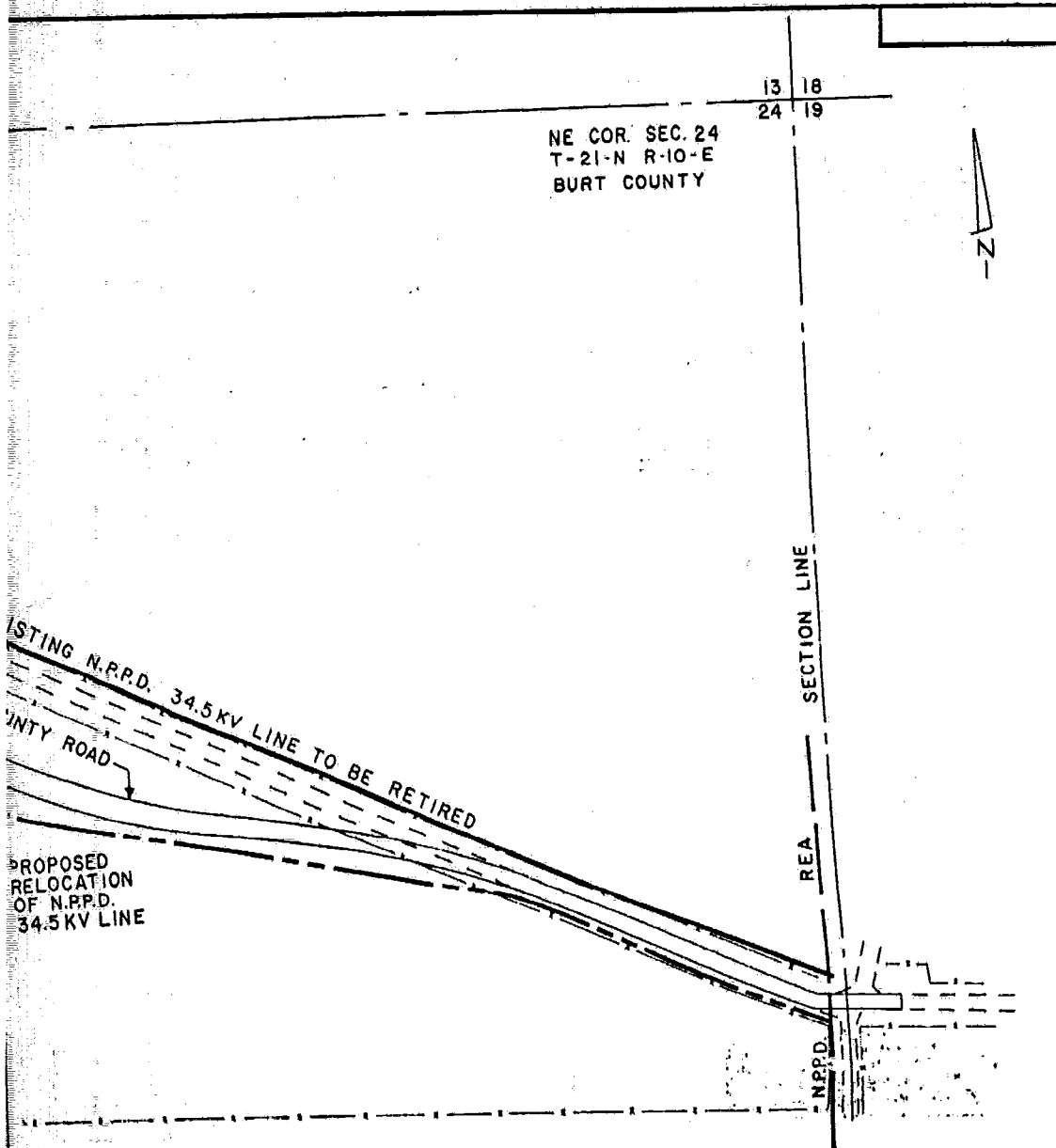

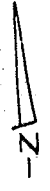


EXHIBIT "A"

SIGNIFICANT NUMBER GROUP	1	2	3	4	5	6	<table border="1"> <tr> <td>DRAWN</td> <td>DATE</td> </tr> <tr> <td>EEB</td> <td>1-27-77</td> </tr> <tr> <td>CHECKED</td> <td>DATE</td> </tr> <tr> <td>R&O</td> <td>1-27-77</td> </tr> <tr> <td>APPROVED</td> <td>DATE</td> </tr> <tr> <td><i>EEB</i></td> <td>1-26-77</td> </tr> <tr> <td>FILMED</td> <td></td> </tr> </table>	DRAWN	DATE	EEB	1-27-77	CHECKED	DATE	R&O	1-27-77	APPROVED	DATE	<i>EEB</i>	1-26-77	FILMED	
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<p>AGREEMENT - WITH MIDDLE MISSOURI TRIBS NATURAL RESOURCES DISTRICT FOR RELOCATION OF N.P.P.D. POLES</p>							 <p>Nebraska Public Power District</p> <p>SCALE - 1" = 200'</p>														
						<p>NB T&D 0577</p>	<p>REVISION</p>														

NE COR. SEC. 24
T-21-N R-10-E
BURT COUNTY

13 18
24 19




SECTION LINE
REA

EXISTING N.P.P.D. 34.5KV LINE TO BE RETIRED
COUNTY ROAD

PROPOSED
RELOCATION
OF N.P.P.D.
34.5KV LINE

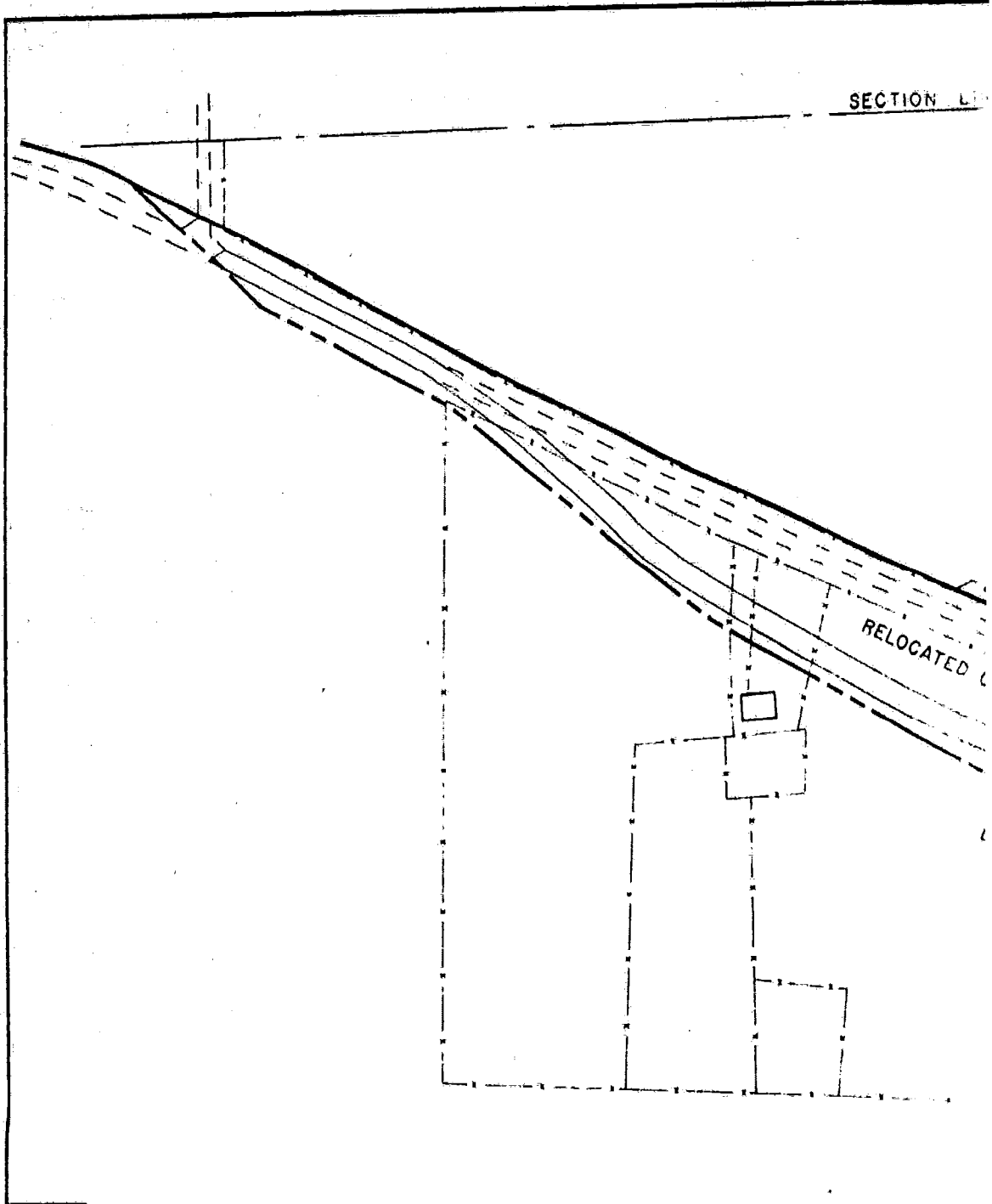
N.P.P.D.

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SECTION L

RELOCATED



NO.	REVISIONS

44