

ADDENDUM AGREEMENT TO NDNR Water Use Contract # _____

WHEREAS the Applicant Landowner _____ timely submitted all Nebraska Platte-Republican Resources Area Conservation Reserve Enhancement Program (CREP) application requirements for Nebraska Department of Natural Resources (NDNR) Form #5678-4407A or B except the 2.B. "Reports of Title and Consent" required filing of an up-to-date title report indicating all liens against the subject land; and

WHEREAS such required title reports were not available by the CREP application filing deadline through no fault of the applicant landowner but will be available and appropriately filed prior to any payments applicant landowner may be entitled to under the CREP;

THE UNDERSIGNED PARTIES AGREE TO THE FOLLOWING:

NDNR will temporarily waive the 2.B. "Reports of Title and Consent" requirement for up to 30 days past the application deadline and if after reviewing and approving all other CREP application components will temporarily approve WUC # _____ for purposes of enrollment or re-enrollment in the CREP, provided:

Applicant Landowner:

1. Waives any right to compensation by either NDNR or Farm Service Agency (FSA) unless and until the required title report is timely filed and approved and agrees to pay liquidated damages if any payment is otherwise made, and
2. Obtains and appropriately files the application's necessary title report within the 30 day period ending _____ (date) and the report is acceptable to NDNR, and
3. Obtains and delivers written consent to participate in the program by the above deadline from any lienholder identified in the title report for use by NDNR in amending the aforementioned Water Use Contract section 2.B.; and
4. Agrees that failure of conditions 1., 2., or 3. will void applicant landowner's CREP application and temporary approval and agrees for NDNR to notify FSA; and
5. The local FSA Office approves of the above conditions and use of this Addendum Agreement for purposes of its CREP application processes, procedures, and certifications.

IN WITNESS WHEREOF, the Parties to this Addendum Agreement through their duly authorized representatives have executed this Agreement on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Agreement as set forth herein.

Applicant Landowner (s) _____ (printed names)

(address)

(phone number) (____) _____

(e-mail address) _____

Applicant Landowner (s)

Signature

Date

Thomas E. Riley, P.E., Director

Signature

Date

_____, FSA CED

Signature

Date