

CROP DAMAGE PAYMENT POLICY

As outlined in the Access Agreement, Option Contract and Permanent Pipeline Easement, Garrison Diversion Conservancy District (“Garrison Diversion”) agrees to pay demonstrated crop damage incurred as part of the construction, installation, repair or maintenance of a water pipeline. The crop damage payment will be calculated to provide reimbursement for income that would have been received by the landowner and/or tenant if Garrison Diversion had not caused the damage.

Garrison Diversion will be responsible for measuring the crop damage areas. The landowner and/or tenant will provide information regarding the yield of the area damaged.

YIELD INFORMATION CAN BE PROVIDED IN ONE OF THREE FORMS:

DOCUMENTATION STATING THE CERTIFIED
YIELD FOR THE IMPACTED FIELD USED FOR
CROP INSURANCE PURPOSES

OR

DOCUMENTATION PROVIDED BY THE LANDOWNER/
TENANT TO A CROP INSURANCE AGENT STATING THE
YEAR’S YIELD FOR THE FIELD IMPACTED

OR

ANOTHER
MUTUALLY AGREED
UPON METHOD

The crop damage payment will not necessarily be paid upon the best yield obtained on the parcel, as some areas Garrison Diversion impacts may have yielded well while other areas may reflect impact by flooding, erosion or other problems. Therefore, the landowner and/or tenant will be required to provide his/her best reasonable estimate for the percent increase or decrease from the field yield certification to best reflect the yield of the area damaged by Garrison Diversion’s construction operations.

Crop prices will be based on the contract or sale price if the crop has been contracted or sold, utilizing documentation provided by the landowner and/or tenant. If the crop has not been sold or contracted by December 31 of the year damaged, the average local market price for the month during which the crop was harvested will be used for payment purposes.

If the parcel is rented out and the landowner wishes to have the renter receive the crop damage payment, it is the landowner’s obligation to provide Garrison Diversion with a letter to that effect, along with the renter’s name, address, and tax ID information.

PLEASE DIRECT ANY QUESTIONS REGARDING CROP DAMAGE PAYMENTS TO GARRISON DIVERSION

GARRISON DIVERSION OFFICE: 701-652-3194 OR TOLL-FREE AT 800-532-0074