

As required by law an IMP must include:

- (1) a geographic and stratigraphic definition of the management area. (46-712(3)(b) and a map clearly delineating the geographic area subject to the IMP (46-715(2)(b));
- (2) clear goals and objectives with a purpose of sustaining a balance between water uses and water supplies so that the economic viability, social and environmental health, safety, and welfare of the river basin can be achieved and maintained for both the near term and the long term (46-715(2)(a));
- (3) a consideration of the effects of existing and potential new water uses on existing surface water appropriators and ground water users (46-715(2));
- (4) surface water (46-712(2)(d) and ground water controls
- (5) the controls to be used to achieve the ground water management objectives (46-739) These controls include:
 - a. ground water allocations
 - b. requiring the rotation of water use
 - c. more restrictive well spacing requirements
 - d. requiring flowmeters
 - e. reducing irrigated acres
 - f. limiting increased consumptive use of water
 - g. requiring best management practices
 - h. mandatory education
 - i. requiring prior approval for transfers of ground water and/or allocations. If transfer permits required the criteria are to include:
 - i. ensure consistency with IMP purposes
 - ii. prevent adverse effects on other ground water users or on surface water appropriators
 - iii. prevent adverse effects on the state's ability to comply with an interstate compact or agreement
 - iv. protect the public interest and prevent detriment to the public welfare
 - j. regulating the depth of replacement wells
 - k. permit moratoriums
- (6) all controls must be
 - a. consistent with the goals and objectives of the IMP;
 - b. sufficient to ensure that the State of Nebraska will remain in compliance with compacts and agreements;
 - c. sufficient to protect the ground water users whose water wells are dependent on recharge from the river or stream involved and the surface water appropriators on the river or stream from stream flow depletion caused by surface water uses and ground water uses begun after July 16, 2004 (46-715(3));
- (7) a plan to gather and evaluate data, information, and methodologies that could be used to implement Sections 46-715 to 46-716, increase understanding of the surface water and hydrologically connected ground water system, and test the validity of the conclusions and information upon which the IMP is

based(46-712(2)(e)). **THIS REQUIREMENT WAS ADDED LAST YEAR
SO NONE OF THE REPUBLICAN IMPS INCLUDE THIS PLAN**

Allocations (46-740)

Until 2026, in all IMPs except the Middle and Upper Republican NRD's municipal and industrial allocations cannot be lower than:

- (1) the amount in a municipal transfer permit from DNR; or
- (2) the per capita allowance set in statute (varies east to west).

There is an exception for industries that will use more than 25 million gallons per year. The NRDs have to make up for any increased consumptive use but any permanent reductions in consumptive use caused by changes in industry practices or purchase of irrigation wells are credited to the NRD.

Interrelated Water Review Board

The Interrelated Water Review Board is a five person panel appointed by the Governor on a dispute by dispute basis to resolve disputes between an NRD and DNR over adoption, implementation, modification and/or enforcement of an IMP.

When either DNR or an NRD notifies the Governor of a dispute which cannot be resolved another way, the Governor appoints a Board. Both sides present their plan or modification or claim regarding the lack of enforcement or implementation. The Board has 45 days after being convened to select the proposals or portions of proposals it feels should be implemented. The Board holds hearings on the chosen proposals and within 45 days of the hearing(s) adopts the IMP or modifications.

If the dispute is over enforcement or implementation, the Board may either take no action or conclude that: (a) one of the parties needs to modify its approach to implementation or enforcement and direct the change in approach, (b) one of the parties has not made a good faith effort to implement or enforce the IMP or controls (or is unable to). If the latter conclusion is made the Board may reassign jurisdiction for those controls or parts of the plan to the other party. Jurisdiction may be reassigned at a later date.