

Andersen, Pamela

From: Edgerton, Brad
Sent: Tuesday, September 11, 2007 2:47 PM
To: Bleed, Ann; Edgerton, Brad
Cc: Dunnigan, Brian; Andersen, Pamela; Theis, Ron; Williams, Jim; Thompson, Mike
Subject: RE: I think we have a draft for URNRD
Attachments: DRAFT IMP Revised 9-10-07 by JFab (4).doc

Ann

I've been looking over this draft, there a few things that don't seem right about the surface water controls.

I am thinking the language in this is changing the water in the river to paper water for surface water; I will try to explain what I mean.

I thought I heard you say last night that the senior permit is entitled to his full appropriated amount and the junior permit is closed;

So on average the surface water CU is within the amount allowed for surface water. Correct? (If yes continue)

I am going to use Meeker-Driftwood Canal as my example.

An 1890 permit for natural flow and storage water from Swanson.

During the 3rd and final year of an allocation period surface water has overused and in July we need to shut down half of the surface water diversions.

Meeker Driftwood has more than enough water in Swanson to deliver a full supply during the 3rd year.

Because Meeker Driftwood has an 1890 permit, junior permits upstream would be closed first. Correct? (If yes continue)

We close all junior permits upstream, this insures that surface water as a whole does not exceed there total compact allotment for the 3 year period.

However the river was dry above Swanson and closing the junior permits was futile for getting water downstream. Under the upper's IMP rules it doesn't matter because we now close for CU rates and not diversion rates!

We also have language in there that doesn't allow surface water to pool like ground water pumpers can.

The irony I see in this is the Reclamation's reservoirs were built so that we could pool water and save it for a non-rainy day.

Do you think Reclamation will be OK with this language?

Will the rest of the State (CNPPD) be OK with it?

"Streamflow that results from reduced ground water pumping shall be protected."

Reduced pumping does not put water back into the River;

Reduced pumping leaves water in the River.

Ground water reduced pumping because they were depleting the river of water they were not entitled to, so how can they claim that water and say it needs to be protected?

My analogy

(I stolen your car; I will give it back as long as you don't let your husband drive it or ride in it. And if after one year you still have gas in it you have to give that back me.)

I am concerned about the direction we're heading with the Upper's IMP.

9/13/2007

Brad

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From: Bleed, Ann
Sent: Monday, September 10, 2007 2:50 PM
To: Brad Edgerton (bedgerton@dnr.ne.gov)
Subject: I think we have a draft for URNRD

9/13/2007