

Minutes
Nebraska Republican River
Management District Association
May 21, 2003
Holdrege, Nebraska

Members present: Best, Bean, Johnson, Fornoff, Albert
Members absent: URNRD, LRNRD
Technical Committee present: Thorburn, Hipple, Smith, Patterson, Clements, Felker, Delka
Advisors Group Present: Taubenheim, Korell, Friehe, Kayton
Others present: Brad Edgerton, Mike Thompson, Steve Gaul, Roger Patterson – DNR, Winz, Madsen, Harsh, Dick Neil-NFB, Merrigan

Items mailed: Minutes, Agenda, Member List

Items presented at the meeting:

Financial Report

Advisory Group Names

Meeting was called to order by Hipple at 10:10 A. M.

Notice of this meeting was published in the McCook Gazette, the Hastings Tribune and the Kearney Hub. It was also posted in the member districts offices.

Roll Call - Quorum - 5 members present

Agenda: An agenda and roster were circulated.

It was moved by Johnson, second by Fornoff to adopt the agenda.

Vote by roll call was,

AYES – All

Motion carried

The minutes for the April 17, 2003 Regular meeting were reviewed.

It was moved by Fornoff, second by Albert to approve the minutes as presented.

Vote by roll call was,

AYES – All

Motion carried

Expansion of Membership. Roger Patterson had contacted several people to find interest groups that would serve as advisors to the association. The following people were presented as advisors to the association. Water well industry – Glenn Taubenheim, Tom Logsdon; Counties – Fred Trospen; Recreation - Neil Struhmer, Jim Coady; Business - Ron Friehe, Van Korell; Power – Don Suda, Ken Johnson

It was moved by Fornoff, second by Johnson to approve the advisors as presented.

Vote by roll call was,

AYES – All

Motion Carried

Discussion continued with consideration of municipal representatives.

It was moved by Fornoff, second by Bean to appoint Tom Spinogle and Bill Hoagland as municipal advisors.

Vote by roll call was,

AYES – All

Motion Carried

Status Reports

Kansas vs. Nebraska Settlement was approved on Monday May 19, 2003. Agreement by the state on the model is still required before July. Compact meeting will be August 21 and 22 in Alma, Nebraska. Data collection will begin in 2003 and the implementation efforts by the NRDs and DNR will continue.

URNRD - Revised rules effective May 8, 2003. They are verifying certified acres.

MRNRD – Developing new rules continues. Plan to certify irrigated acres in the summer of 2003. Meter progress continues.

LRNRD – Certification of irrigated acres guidelines are being developed. Hearing scheduled to revise rules on moratorium and metering.

TBNRD – June hearing on rules for metering.

BID – Planned delivery for this year 6-7”

FCID – Planned delivery in Cambridge canal is 7”. No delivery on Meeker, Red Willow and Bartley Canals.

H&RW-FV - Diverting natural flow now. No decision on use from Enders.

Joint Action Plan. A review of the report of preliminary findings was provided by Dave Cookson and Roger Patterson. Hearings as required by LB 108 are scheduled for June 24 and 25. Letters have sent to all individual appropriators and Irrigation Districts. Bob Hipple continues to work with the group studying the effects of conservation.

It was moved by Bean, second by Fornoff to direct Bob Hipple to write a letter of recognition for the efforts of DNR and the AGs office in arriving at a negotiated settlement of the Kansas vs. Nebraska lawsuit.

Vote by roll call was,

AYES – All

Motion Carried

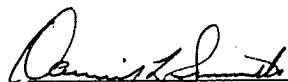
Member Reports. None

Treasurers Report. Mike Delka reported that the balance of funds for the Association was \$838.67. The insurance premium of \$1439.00 for a commercial package from Dunbar Peterson Insurance Agency has been paid. See attached Balance Sheet.

Committee Reports. The education committee will review efforts with Susan Seacrest and consider other efforts as needed for information and education efforts in the future.

Next meeting will be held in Imperial. Planned date is September 4, 2003

The meeting was adjourned at 1:30 P. M.



Daniel L. Smith, Secretary

Minutes
Nebraska Republican River
Management District Association
September 18, 2003
Imperial, Nebraska

Members present: Ambrosek, Best, Bean, Johnson, Fornoff, Albert, Woolen

Members absent: None

Technical Committee present: Thorburn, Hipple, Smith, Patterson, Clements, Felker, Delka

Advisors Group Present: Friche, Trospen, Coady, Suda, Johnson, Taubenheim

Others present: Brad Edgerton, Mike Thompson, Paul Koester, Ann Bleed, Tina Kurtz, Mike McDonald – DNR, Justin Lavene, Tina Kitt, Susan Seacrest, Jennifer Nelson, Curtis Kayton, Bob Bettger, Dave Walton, Ray Winz, Kenneth Frasier

Items mailed: Agenda, Minutes, and Membership Roster

Items presented at the meeting:

Financial Report MidHPEI literature
NET Grant summary Modeling-Charts and graphs
Groundwater Foundation Materials

Meeting was called to order by Hipple at 10:05 A. M.

Notice of this meeting was published in the McCook Gazette, the Hastings Tribune and the Kearney Hub. It was also posted in the member districts offices.

Roll Call - Quorum - 7 members present. Bean arrived at 10:15 AM. Johnson arrived at 10:16 AM

Agenda: An agenda and roster were circulated.

It was moved by Ambrosek, second by Fornoff to adopt the agenda.

Vote by roll call was:

AYES – All (5) Motion carried

Minutes:

The minutes for the May 21, 2003 Regular meeting were circulated.

It was moved by Fornoff, second by Ambrosek to approve the minutes as presented.

Vote by roll call was:

AYES-All (6) Motion carried

Member Reports:

TBNRD-working on Joint Action Plan order. Discussed NET grants of interest.

LRNRD-Joint Action Plan order approved. Working on rules and regulations

MRNRD-Joint Action Plan order approved. Reviewing staffing and equipment needs.

Progress is being made in lawsuit. Meter servicing and repair will start soon.

BID-delivery shut off on August 14th after delivering 7". Working on burying mainlines. 2" projected for next year.

H&RW-FV-In March they diverted natural flow to FV. No water delivered in H&RW for the second straight year.

FCID-Delivered 7” in Cambridge Canal. None in the others for the first time in 40 years.
Trying to keep employees busy.
Recreation-Situation at Hugh Butler has not changed
Power-Suda-Concerned about what their roll would be in this process.

Mid-High Plains Education Initiative:

Susan Seacrest reported on the past efforts of the MHPEI and indicated her desire to work with the NRRMDA on our future educational needs. Current education committee members are Wertz, Johnson, and Thorburn.

It was moved by Fornoff, second by Ambrosek to work with and support the Groundwater Foundation in new MHPEI project in the basin. Vote by roll call was:

AYES – All (7) Motion carried.

Republican River Compact Administration / Settlement Implementation:

Model was agreed to by Compact Administration. Compact rules have been modified to reflect the settlement. Colorado will be chair for next year. Colorado is trying to figure out how to cut back on water use. Kansas is increasing its effort on reporting.

The conservation practices study should have a proposal by April of 2004. This study is looking at the impacts on flow by terraces and small dams and pits. Bob Hipple, Gayle Starr and Darryl Martin represent Nebraska in this process.

Bob Bettger discussed NRCS involvement and funds to be used for incentives to quit irrigating, insurance issues and potential for UNL involvement in studies or other projects.

The districts reported on the activities with regard to metering developing rules and regulations and concerns about funding programs. Mike Thompson reported on his activities in developing a database and identifying information that needs to be tracked. Brad Edgerton reported on adjudication issues and the update and corrections of irrigated acreage inventories.

Joint Action Plan:

The development of Joint Action Plans was discussed. The state will develop a Basin Compact Compliance Plan that can be used as a reference in the individual district plans. The Joint Action Plans are required to be finished within one year of the district order agreeing to complete them.

Habitat Grant Application:

John Thorburn reported on the Nebraska Environmental Trust Application that had been submitted on behalf of the Association. It is for \$111,000 and will address reducing water consumption and arresting the loss and degradation of wildlife habitat.

It was moved by Fornoff, second by Walton to have the Association act as the sponsor for this application with the TriBasin NRD acting as administrator. Vote by roll call was:

AYES-All Motion Carried.

Committee Reports:

Mike Delka presented the treasurers report. The finance committee reported on the proposed dues and budget for calendar year 2004.

It was moved by Fornoff, second by Johnson to set the dues for next year at \$200.00 per member district. Dues should be paid after January 1st, 2004. Vote by roll call was:

AYES-All Motion Carried

It was moved by Ambrosek, second by Fornoff, to set the budget at \$2238.67 for calendar year 2004. Vote by roll call was:

AYES-All

Motion Carried.

Modeling Report:

Mike McDonald presented a report on the efforts to provide information to the districts relative to the model developed for compact administration. His presentation included charts and graphs. A copy of that presentation is included with the file copy of these minutes.

Next meeting will be hosted by the Lower Republican NRD at the Johnson Community Center in Alma. Planned date is November 17th, 2003 at 10 AM

The meeting was adjourned at 3:00 P. M.

_____ Daniel L. Smith, Secretary

Minutes
Nebraska Republican River
Management District Association
November 17, 2003
Alma, Nebraska

Members present: Ambrosek, Best, Bean, Winz, Fornoff, Albert, Woolen

Members absent: None

Technical Committee present: Thorburn, Hipple, Smith, Patterson, Clements, Felker, Delka

Advisors Group Present: Friche, Trospen, Stuhmer, tenBensel

Others present: Brad Edgerton, Mike Thompson, Paul Koester, Ann Bleed, Roger Patterson –
DNR, Wayne Madsen, Bob Merrigan, Cheryl Griffith, Bob Bettger, Steve Moran, Justin Lavene,
Dave Cookson, Don Blankenau

Items mailed: Agenda, Member List

Items presented at the meeting:

Financial Report

Tree-Ring Evidence report

BCCP draft

Dues Notice

AWRA Article-Successful Conservation

Meeting was called to order by Hipple at 10:10 A. M.

Notice of this meeting was published in the McCook Gazette, the Hastings Tribune and the Kearney Hub. It was also posted in the member districts offices.

Roll Call - Quorum - 7 members present. Winz arrived 11:00 AM

Agenda: An agenda and roster were circulated.

It was moved by Ambrosek, second by Fornoff to adopt the agenda.

Vote by roll call was,

AYES – All

Motion carried

The minutes for the September 18, 2003 Regular meeting were not available.

Member Reports:

TBNRD-Water use reporting is ongoing. Working with LRNRD to approve a water transfer for the City of Arapahoe.

LRNRD-Water use reports ongoing 50% have been returned. Metering is ongoing sections 1-12 should be completed by January 1, 2004.

MRNRD-Water use reports ongoing. New rules for certification and limiting the expansion of acres effective November 17, 2003. Meter servicing program continues.

BID-1 ½" projected delivery for next year. Water use meeting to be held. Concerns over the layoff of employees. Looking for some relief from federal O&M charges. 25000 feet of pipe have been laid to replace open laterals. Some transfers of tracts are being considered.

H&RW-FV-No inflows at this time. Some employees released last year. Projected delivery for next year 1 ½"H&RW, ½" FV. Some natural flow was diverted last year in FV.

FCID-Cambridge canal may have 8" delivery, others may be 4". Hope to get BofR funds for burying lines.

Counties-Concerns over pivots watering road ditches.

Business-Concerns over the availability of water
Recreation-temporary ramps at Harlan County, new access roads at Enders
Power-no comments.

Basin Compact Compliance Plan (BCCP):

Dave Cookson presented a 17 page draft of the BCCP. There was discussion over the contents of the plan, how it would be used by the districts. Dave will continue to refine the draft and have a finished copy available for consideration after the first of the year.

UNL Assistance:

Bob Bettger reported that Cong. Osborne is concerned about the Republican River Basin and wants to assist if he can with the public education and outreach. He has had discussion with the UNL Water Center and the possibility that they can help with studies. Dick Clark, Extension economist, has been helping Steve Chick with the proposed 1 year out of 3 incentive rotation.

Modeling Report:

Ann Bleed, DNR, reported that Chuck Spaulding was ill and unable to attend. She presented several slides relative to the modeling activity. The scenarios that the Association requested should be available soon. Members expressed concerns over the delay and requested copies of any slides that might be prepared.

Committee Reports:

Mike Delka presented the treasurers report. Association Balance is \$955.07. Dues notices were provided by the Chair. Dues for the upcoming year are \$200.00 per member. Insurance is to renew in January.

The education committee will meet December 3rd, 2003 at the TribBasin NRD in Holdrege to review the needs and opportunities for public information and education.

Elections:

Election of facilitators will be held at the January 2004 meeting.

Next meeting will be hosted by the Middle Republican NRD at the Cambridge Community Room. The planned date is January 12, 2004 at 10 AM

The meeting was adjourned at 2:00 P. M.

_____ Daniel L. Smith, Secretary

**Nebraska Republican River
Management District Association**

**January 12, 2004, 10:00 A.M., CST
Cambridge Community Room
Cambridge, NE**

AGENDA

1. Call Meeting to Order
2. Roll Call - Introduction of Guests
3. Review and Adoption of Agenda
4. Approval of Minutes
5. Member reports -
 - a.. Natural Resource Districts
 - b. Irrigation Districts
 - c. Advisory members
6. Report on RRCA Settlement Implementation
 - a. Modeling update -
Member discussion and comments
 - b. Joint Action Plan(s) updates - State and NRDs
Member discussion and comments
 - c. Conservation Practices Study update
 - d. High Plains Education Initiative update
 - e. CRP, CREP, EQUIP funding update
7. Committee Reports
 - Finance -
 - Education -
8. Election of Officers
9. Arrangements for next meeting - Date, Time and Location
10. Adjourn

Final

Republican River Compact Administration
Engineering Committee Report
June 9, 2004

At the 2003 annual meeting of the Republican River Compact Administration, the Commissioners assigned the Engineering Committee eight tasks:

1. Take over the operation and maintenance of the Republican River Compact Administration Groundwater Model.
2. Recommend where and how the Groundwater Model and ground water datasets for the model should be housed.
3. Review the Republican River Compact accounting procedures and reporting requirements and recommend any necessary corrections for adoptions by the Republican River Compact Administration.
4. Develop and recommend an accounting program for adoption by the Republican Compact Administration.
5. Develop a user's manual for the Republican River Compact Administration Groundwater Model.
6. Develop data and update the Groundwater Model through 2002.
7. By April 15, 2004, exchange the data required by the Republican River Compact accounting procedure, and use these data to complete the accounting of the virgin water supply, the computed water supply, and the beneficial consumptive uses in the Basin for the calendar year 2003.
8. Develop Compact accounting for the years 1995 to 2002, using methods generally based on those prescribed in the accounting procedures. Of note is that these final data would be developed for informational purposes only.

The Engineering Committee and technical representatives from the States of Colorado, Kansas, and Nebraska participated in numerous collaborative work activities and phone conferences and met May 3-4, 2004.

The following assignments and work activities were completed:

1. Based upon a review of the RRCA Accounting Procedures and Formulas, the Engineering Committee recommends adoption of the following changes:
 - a. Deletion of the Appendix C designation for the document since it is a self-standing document.
 - b. An indication of the revision date to the Accounting Procedures.
 - c. Addition of page numbers to the Table of Contents.
 - d. Page 8 - definition of RRCA groundwater model.
 - e. Page 14 - Section III. E. - Clarification that the computations done each year are for the preceding year.
 - f. Page 32 - fixed a reference to the RRCA groundwater model to be consistent with others.

- g. In section V.A.8., all the references to wells are made singular.
 - h. Re-indexing section V.A.8.
 - i. Attachment 7. The formula in Col 11 should be Col 10/Col 2, not Col 10/Col 1.
 - j. Substitution of Attachment 8 with the July 1, 2003 RRCA Ground Water Model narrative description final report.
 - k. Miscellaneous typographical errors have been corrected.
2. Exchanged model data sets and supporting data as well as streamflow, climatological, diversion, reservoir evaporation, and ground water well permitting information and data by the three states and in cooperation with the U.S. Geological Survey, U.S. Bureau of Reclamation, and U.S. Army Corps of Engineers for 2003.
 3. Assumed operation and maintenance of the RRCA Ground Water model. Recommend Principia Mathematica maintain and operate the website that hosts the model, its datasets, and reporting functions.

The Engineering Committee recommends the Republican River Compact Administration assign the following tasks be completed by the indicated dates:

1. Develop a checklist and complete the exchange of data and reporting requirements described in the Final Settlement Stipulation and RRCA Accounting Procedures by July 31, 2004. ✓
2. Continue review of the accounting procedures and formulas and development of the RRCA Accounting Spreadsheet and reach mutual acceptance on both by August 31, 2004. *provide to RRCA* ✓
3. Reach mutual acceptance of ground water pumping, diversion, consumptive use and other requisite data for the Accounting Procedures for the period 2001 through 2003 by August 31, 2004. ✓
4. Complete the final RRCA Ground Water Model runs for the years 2001 through 2003 by September 15, 2004. ✓
5. Complete RRCA accounting for the years 1995 through 2003 by September 30, 2004. ✓
6. Develop a users manual for the RRCA Ground Water Model by September 30, 2004. ✓
7. Develop a GIS coverage (electronic map) of the Republican River Basin and the designated drainage basins by September 30, 2004. ✓
8. By April 15, 2005, exchange the data required by the Republican River Compact accounting procedure, and use these data to complete the accounting of the virgin water supply, the computed water supply, and the beneficial consumptive uses in the Basin for the calendar year 2004. ✓

9. By June 1, 2005, the Engineering Committee will investigate the irrigation efficiencies and recharge values for different types of ground water irrigation systems and prepare a report for submittal to the RRCA by June 1, 2005. ✓

Kenneth W. Knox
Engineer Adviser for Colorado

David W. Barfield
Engineer Adviser for Kansas

Ann Salomon Bleed
Engineer Adviser for Nebraska

1-22-2007 IMP
INFORMATIVE
MEETING

Dept. or NRD) and on the use of an existing water well or surface water appropriation to increase the number of acres historically irrigated in the overappropriated areas of the NPNRD, SPNRD, TPNRD, CPNRD, and TBNRD.

September 30, 2004

The SPNRD, TPNRD, and CPNRD are determined to be fully appropriated in their entirety. The stays that are in place continue. [NOTE: The stay areas were not expanded in the CPNRD or TPNRD even though the entire district was determined to be fully appropriated. This has to do with the transition language in §46-720.]

November 3, 2004

A portion of UNWNRD is determined to be fully appropriated. The stays remain in place in those areas determined to be fully appropriated, while in the other portion of the district, the stays are removed.

December 30, 2005

A portion of the TBNRD, LBNRD, and UBBNRD are preliminarily determined to be fully appropriated. Stays on the issuance of water well construction permits and new surface water rights becomes effective.

January 9, 2006

Stays on the construction of a new water well (unless a permit with conditions imposed by the NRD has been issued prior to December 30, 2005) and on using an existing water well or surface water appropriation to increase the number of acres historically irrigated becomes effective in those portions of the TBNRD, LBNRD, and UBBNRD preliminarily determined to be fully appropriated.

April 21, 2006

A portion of the UBBNRD is determined to be fully appropriated. The stays remain in effect for this portion and are removed from those areas no longer considered to be preliminarily fully appropriated (portions of the TBNRD and all of those areas in the LBNRD).

TB- East of 183

IMP Discussion Meeting

General Timeline

Sometime between July 1 and July 16, 2004

TBNRD and DNR adopted a joint action plan.

~ July 16, 2004:

LB962 becomes law.

The entirety of the LRNRD, MRNRD, URNRD, and NPNRD (excluding the Pumpkin Creek subarea) become fully appropriated due to where they were in the previous joint management process (old §46-656.28).

The entirety of the CPNRD, TPNRD, SPNRD, UNWNRD are preliminarily determined to be fully appropriated due to where they were in the previous joint management process (old §46-656.28).

Stays on the issuance of water well construction permits and new surface water rights becomes effective in the LRNRD, MRNRD, URNRD, NPNRD (excluding Pumpkin Creek), portions of the CPNRD, portions of the TPNRD, SPNRD, and UNWNRD.

Due to the adoption of a joint action plan, TBNRD was not considered to be fully appropriated.

July 26, 2004

Stays are imposed on the construction of a new water well (unless a permit with conditions imposed by the NRD has been issued prior to July 16, 2004) and on using an existing water well or surface water appropriation to increase the number of acres historically irrigated in the LRNRD, MRNRD, URNRD, NPNRD (excluding Pumpkin Creek), portions of the CPNRD, portions of the TPNRD, SPNRD, and UNWNRD.

September 15, 2004

Portions of the NPNRD (including Pumpkin Creek), SPNRD, TPNRD, CPNRD, and TBNRD are designated as overappropriated. Stays on the issuance of water well construction permits becomes effective in the overappropriated portions of the NPNRD, SPNRD, TPNRD, CPNRD, and TBNRD. The moratorium on new surface water rights is also continued in the overappropriated area.

September 25, 2004

Stays are imposed on the construction of any new water well (if the construction has not yet commenced and if no permit for construction of the water well has been issued previously by the

1/22/07

DNR 008715

Current Status of Stakeholder Groups

UR, MR, LR – starting meetings on the 25th to review current IMPs and determine what needs to be changed.

TB – they are currently working with CNPPID to work out how they are going to manage the district for integrated management purposes. We have met with them several times to begin the process of putting together an IMP. We have so far worked on the goals and some of the objectives. As of this time, there is no meeting scheduled with the TB group to work on the IMP. *Wrote IMP without us & need to start over.*

SP – we have not met with the group for several months. The fully appropriated portion of the plan is almost done – the goals, objectives, and some idea of the rules has been done. We are going to be having a meeting soon on how to deal with the requirements of §46-740 in the IMP. They are very close to having a completed fully appropriated plan. There still needs to be some additional discussion on the overappropriated portion of the plan – specifically how we are going to deal with getting back to 1997. According to their calculations, they are already there. *Very cooperative & progressive.*

NP – we have also not met for several months. Their fully appropriated plan is also close to being done. We have goals and objectives with some idea of the rules. We are going to be meeting with them on the 31st to discuss how we are going to handle supplemental wells. They have been working on certifying acres, developing transfer rules, and adopting rules to require flow meters in the OA area. We still need discussion on how they are going to deal with the OA area.

No over Appropriated, only fully appropriated.
UNW – we are meeting with the stakeholder group on the 31st. We are very close to having the plan put together. They have been focusing on getting their ground water management area rules in place so that they can certify acres and put allocations on Box Butte Co. We have the skeleton of the plan done – what still needs work are the transfer rules, how to deal with §46-740 requirements, and how we are going to deal with potential gw depletions to the Niobrara River upstream of the Box Butte Res.

appointed an outside facilitator.
TP – this group meets once a month. We have developed goals and objectives and are now refining those and working on developing controls. The group has been somewhat sidelined by the idea of having to have a complete water budget before proceeding with the IMP. The only discussions we have had about how to get back to 1997 in the OA area is to say that the state has to pay for it.

CP – this stakeholder group is no longer meeting. They met around 7 times and worked on the basics of the plan. CP basically put out a draft plan and let people comment on it (different process than in the other Platte Basin NRDs). We are now currently working with them on refining the plan so that it can be adopted. There are goals, objectives, and rules which need some tinkering.

UBB – we have not started the process with them yet. We are going to meet with them on the 24th to begin discussions on how to move forward.

1/22/07

DNR 008716

OA Basinwide Group – this group has had several meetings and at the last meeting it was determined that Jim Cook would write up a plan. The plan Jim is writing assumes that the NDP will be in effect. The NDP provides that the responsibility for offsetting the adverse effects of depletions caused by new uses begun between 7/1/97 and 12/31/05 will rest with the state. It's therefore assumed that the State, through the IMP process, will fund projects and programs to offset the adverse effects of the new depletions caused by those new and expanded uses begun between 7/1/97 and 12/31/05. Our next meeting of the group is on Feb. 20th.

*New Depletion
Plan*

Members of Stakeholder Groups

The law requires that the following entities be consulted and/or consulted and collaborated with: irrigation districts, reclamation districts, public power and irrigation districts, mutual irrigation companies, canal companies, and municipalities that rely on water from within the affected area. In addition the Dept. or the NRD may include designated representatives of other stakeholders. In the various groups that we have, some of the entities that are represented, in addition to the statutorily required entities, are: industry, economic development, county commissioners, educators, surface and ground water irrigators, well drillers, the University, financial institutions, chamber of commerce, ranchers, state agencies, commercial interests, etc.

DNR encourages involvement of stakeholder groups.

FULLY APPROPRIATED

fab report?
Fully-Appropriated Basin

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)); ← "consideration" nothing more
- (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.