

6/25/04

DRAFT 2004 LB 962 IMPLEMENTATION CALENDAR

By June 23, 2004

- (France/Kurtz/Gaul) Work on initial language regarding formal moratoriums in areas that have current informal moratoriums. Provide to Cook and Diers.

By June 28, 2004

- (Shafer) With assistance from Kurtz and Schellpeper creates map of areas in which pumping would cause a 28% depletion to streamflow within 40 years in the Platte Basin upstream of the Kearney Canal Diversion. Also work with Patterson and Bleed to provide maps of fully appropriated and overappropriated areas based upon criteria they provide. Provide maps to Patterson, Bleed, Cook and Diers.

By July 15, 2004

- **(Cook, Diers and Patterson) Formal moratoriums on new surface water appropriations are declared at least for areas expected to be declared overappropriated (the area above the Kearney Canal Diversion).** Cook and Diers write and Patterson signs letter to all NRDs affected.
- **(Cook, Diers and Patterson) Formal requests are made to CPNRD, TPNRD, SPNRD, NPNRD and Tri-Basin NRD to close or continue in effect a closure of an area to issuance of additional water well permits or suspend or continue suspending the drilling of new water wells.** Request letters should include rationale and proposed boundaries. Cook and Diers draft and Patterson signs formal letters to each NRD. May be combined with letter for following item.
- **(Cook and Patterson) By law all areas that have a planning process underway have their study areas declared fully appropriated. (CPNRD, TPNRD, SPNRD, UNWNRD will be preliminarily declared as fully appropriated on that date; for the NPNRD, the URNRD, the MRNRD, the LRNRD and the Republican basin portions of the Tri-Basin NRD, the determinations will be final).** Cook and Diers write and Patterson signs notification letter to NRDs. May be combined with letter for preceding two items.

- **(Cook Diers, and Patterson) Prepare notice to well drillers of fully appropriated determination and stays in 9 NRDs noted above (If joint action plan has been completed, stays will not apply).**
- **(Cook, Diers, Patterson, Kurtz, Shafer) Prepare notices and maps for publication in newspapers (for 7-16 fully appropriated areas)**

By July 22, 2004

- **(Kurtz?) Identify list of newspapers to which above notices must be sent and sent for first publication.**

By August 1, 2004

- **(Patterson) Provides Shafer with criteria for fully appropriated designation in UNWNRD, SPNRD, TPNRD and CPNRD.**

By August 7, 2004

- **(Shafer) Provide full range of information needed to make decision on fully appropriated status for CPNRD, TPNRD, and SPNRD. Make Powerpoint presentations that can be used at public information meeting and hearing for each NRD???**

August 1 to September 1, 2004

- **(Cook, Diers and Patterson) DNR and NRDs (SPNRD, TPNRD, and CPNRD) consult with any irrigation districts, reclamation district, public power and irrigation district, mutual irrigation company, canal company, or municipality that relies on water from the affected river basin, subbasin or reach and with other water users and stakeholders as deemed appropriate. Kurtz writes letters and Patterson signs.**

August 31 to September 9, 2004

- **(Kurtz and Gaul? or Bleed? or Shafer? and Patterson) Public Information meetings and hearings on fully appropriated designations for the CPNRD, TPNRD, and SPNRD and possibly a public information meeting in NPNRD). Kurtz or will be responsible for setting up hearing/logistics and writing letters. Patterson will sign letters announcing hearings. Need to make decision on who does public information presentations??**

Probable Hearing Dates:

TPNRD – 8/31
SPNRD – 9/1
NPNRD – 9/2 (tentative)
CPNRD – 9/9

By September 1, 2004

- (Gaul, Shafer, Kurtz) Draft report on Hydrologically Connected waters in UNWNRD issued. Powerpoint prepared.
- Start consultation process with entities as required before hearing on fully appropriated for UNWNRD

By September 15, 2004

- **(Cook and Patterson) Overappropriated designations made for CPNRD, TPNRD, SPNRD, NPNRD, and Tri-Basin NRD.** Fully appropriated determinations made at same time for SPNRD, TPNRD and CPNRD. Cook drafts letters and Patterson signs.
- **(Cook, Diers, and Patterson) Prepare notices to well drillers of overappropriated designations and of fully appropriated determinations in SPNRD, TPNRD, and CPNRD, and of resulting stays.**
- **(Cook Diers, Patterson, Kurtz, Shafer) Prepare notices and maps for publication to reflect above overappropriated and fully appropriated determinations and the resulting stays.**

By Sept 22, 2004

- **Identify list of newspapers to which above notice must be sent and send for first publication.**

October 1, 2004

- (Kurtz and ?) Public Information Meeting on UNWNRD potential fully appropriated designation

By October 15, 2004

- **(Kurtz and Gaul? or Bleed? or Shafer?) Hearing on fully appropriated designation for UNWNRD.** Kurtz responsible for setting

up hearing/logistics and writing letter. Patterson signs. Need to make decision on who does public information presentation??

By November 14, 2004

- **(Cook, Diers and Patterson) Deadline on final decision on fully appropriated in the UNWNRD.** Cook and Diers write letter/notice to NRD. Patterson reviews, amends and signs.
- **(Cook, Diers, and Patterson) Prepare notice to well drillers of determination and resulting stays**
- **(Cook, Diers, Patterson, Kurtz and Shafer) Prepare notices and map for publication in newspaper in UNWNRD.**

By November 21

- **Identify list of newspapers for above notices and send for first publication.**

Pre January 1, 2006

- **Need to develop rules, regulations and criteria for fully appropriated designations.** (Could we try for **April 1, 2005** and develop a committee with the new lawyer, Jeff and Tina to do this?).