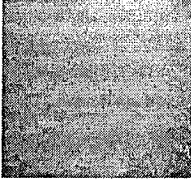




because of years
For these purposes




**Integrated Management
of
Hydrologically
Connected
Groundwater
and
Surface Water
Under the
Groundwater Management
and Protection Act**

Legislative Findings 46-656.05



- The management, conservation and beneficial use of hydrologically connected groundwater and surface water are essential.
- Hydrologically connected groundwater and surface water may need to be managed differently from unconnected waters.
- NRDs are the preferred entities to regulate groundwater related activities which are contributing to or are, in the reasonably foreseeable future, likely to contribute to conflicts between groundwater users and surface water appropriators.

Legislative Findings cont'd



- NRDs are the preferred entities to regulate groundwater related activities as may be necessary to resolve disputes over interstate compacts or decrees or to carry out the provisions of other formal state contracts or agreements.
- DNR and local surface water project sponsors should be responsible for regulation of surface water related activities which contribute to conflicts between groundwater users and surface water appropriators or provide opportunities for resolution of disputes over interstate compacts or decrees.

• - DNR, with the concurrence of the Interrelated Water Review Committee (the Governor and 2 NRC members) should also be given authority to regulate groundwater related activities to mitigate or eliminate disputes over interstate compacts or decrees or difficulties in carrying out the provisions of other formal state contracts or agreements if NRDs do not use their groundwater management authority in a reasonable manner to prevent or minimize such disputes or difficulties.

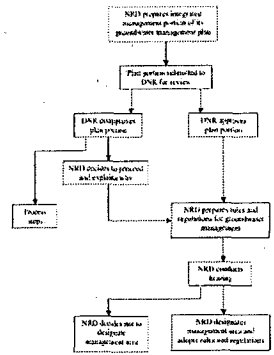
- All involved NRDs, DNR and surface water project sponsors should cooperate and collaborate on the identification and implementation of management solutions to such conflicts, disputes and difficulties.

- When conflicts over the use of hydrologically connected groundwater and surface water occur, an NRD should accept responsibility for groundwater management of hydrologically connected groundwater regardless of whether the conflicts between groundwater use and surface water use are all contained within that NRD or spill over into other NRDs or even other states. 46-656.06

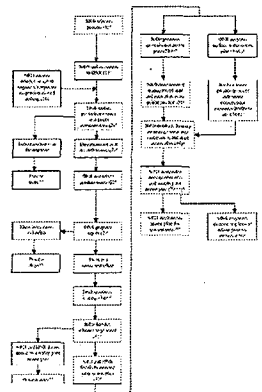
The management of groundwater hydrologically connected to surface water supplies can be accomplished pursuant to any one of three processes:

- By NRDs, on their own using the same process as is used for management to protect groundwater quantity or quality; 46-656.19 to 46-656.21
- By NRDs following a joint planning and decision making process with DNR; 46-656.28 or
- By DNR if necessary to resolve disputes over interstate compacts or decrees or to carry out other formal state contracts or agreements. 46-656.49 to 46-656.61

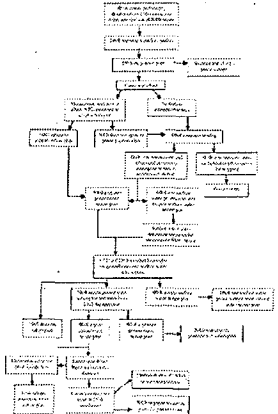
NRD Designation of Management Area for Integrated Management (Option 1)



NRD Designation of Management Area for Integrated Management Joint NRD and DNR Action Plan (Option 2)



DNR Designation of Management Area for Integrated Management (Authority Limited to Disputes Over Interstate Compacts and Decrees and Other Formal State Contracts or Agreements) (Option 3)



Tools available for management of hydrologically connected groundwater under options 1, 2 and 3: 46-656.25(1)

- allocation
- rotation of use
- well-spacing
- meters or other measuring devices
- reduction of irrigated acres
- limit or prevent expansion of irrigated acres
- educational requirements
- moratorium on new wells or conditional permits for new wells
- other reasonable rules and regulations

Tools available under options 2 and 3 for management of surface water hydrologically connected to groundwater: 45-656.28(5) and 46-656.54

- Increased monitoring and enforcement.
- Prohibition of or limitations on additional surface water appropriations.
- Required conservation or BMPs (surface water appropriators encouraged to identify and develop schedule for application and utilization).
- Other reasonable restrictions on surface water use that are consistent with law.

Other applicable provisions:

- An NRD may establish different provisions for different hydrologic relationships between groundwater and surface water. 46-656.25(6)(a)
- In management areas which have integrated management as a purpose, wells constructed after the designation of the management area for that purpose can be treated differently from those constructed before that date even if the impact of both on surface water supplies is the same. 46-656.25(6)(b)

Other applicable provisions cont'd

-For the purpose of determining whether conflicts exist between groundwater users and surface water appropriators, surface water appropriators do not include holders of instream flow appropriations. 46-656.25(9), 46-656.28(15)

-There is an "Interrelated Water Management Fund" to be used for studies of hydrologically connected groundwater and surface water, but it is not currently funded. 46-656.67



Thank You
