

Nebraska
Kansas

NRD's identified as _____ to Regulate _____ Groundwater Activities that Could Contribute to Conflicts Between Groundwater and Surface Water

NRD's identified as _____ for Groundwater _____ Management Activities that May be Necessary for _____ Resolving Interstate Compacts or Decree Disputes _____ or for State Compacts or Agreements


DNR identified as Entity Responsible for Surface Water Activities Contributing to such Conflicts

Provisions Exist for Intentional and Incidental

Nebraska
Kansas

- Department of Natural Resources (DNR) May Require _____ Preparation of an Action Plan for Integrated _____ Management Only where there are Disputes Over _____ Interstate Compacts or _____ Decrees or Other Formal State Conflicts or Agreements
- Even Under this Procedure DNR may not Implement _____ Controls on Groundwater Unless the NRD's Refuse to _____ Develop an Action Plan or Their Action Plan is Not _____ Approved by DNR
- Then DNR Could Assume _____ Jurisdiction Provided an Interrelated Water _____ Management Committee of the Governor and _____

Nebraska
Kansas



- Allocations of Withdrawals
- Rotation
- Well Spacing
- Metering/Monitoring
- Use of Best Management Practices
- Chemicals/Fertilizer Analysis of Water or De
- Mandatory Education
- Moratorium on New Wells
- Other Reasonable Rules and Regulations
- Reduction of Use

Nebraska
Kansas

1. An NRD May Treat Groundwater Users Differently on the Basis of Date of Drilling
 - Only Allowed for Integrated Mgt.
 - Effective Dates Limited
2. NRD May Treat Groundwater Users Differently Based on Different Hydrologic Relation

Nebraska
Kansas

(Continued)

3. Replacement Wells Must be Treated the Same as the Wells they Replace
4. The Surface Water Appropriations that are Protected Through LB 108 Do Not Include Instream Appropriations
5. Interrelated Water Management Fund

Nebraska
Kansas



-Thank You

Nebraska
Kansas

North Dakota

- Prior Appropriations for Groundwater
- State Engineer has Statutory Authority to Restrict or Temporarily Curtail Groundwater Pumping to Protect Senior Surface Water Rights such action never taken
- State Engineer May Condition or Deny a New Groundwater Permit to Protect Senior Appropriators this has been done

Nebraska
Kansas

Wyoming
Nevada
Arizona
California
Oklahoma

Nebraska
Kansas

- Designated Basins With Moratoriums
- Replacement Water
- Movement Towards/Achieving Safe Yield in Designated Basins (via allocations Etc.)
- Gradual Depletion and Non-Interference
- Transferability
- Cut Off Lines for Legal Presumption

Nebraska
Kansas

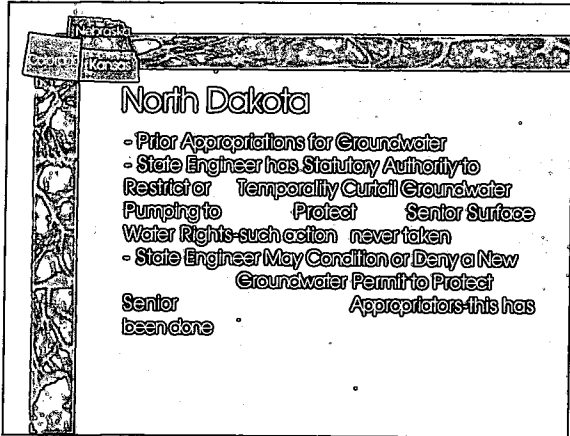
- 76% of Irrigation Withdrawals from Groundwater
- 87% of Irrigated Acreage Supplied from Wells
- 116% of the Combined Irrigated Acreage of Colorado and Kansas
- 84% of Public Water Supply Withdrawals are from Groundwater

Nebraska
Kansas

Complete Prior Appropriation Law Since 1895
Forerunners in 1877 and 1889

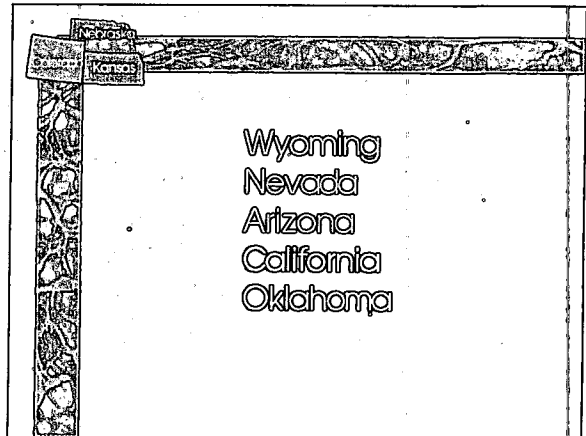
Nebraska
Kansas

- Public Ownership
- Landowners Have Right to Make Reasonable & Beneficial Use on Overlaying Lands Subject to Correlative Rights of Others and Subject to Management Under the Groundwater Management and Protection Act

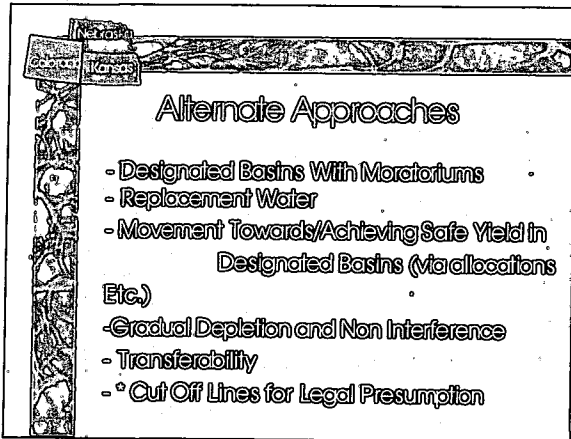


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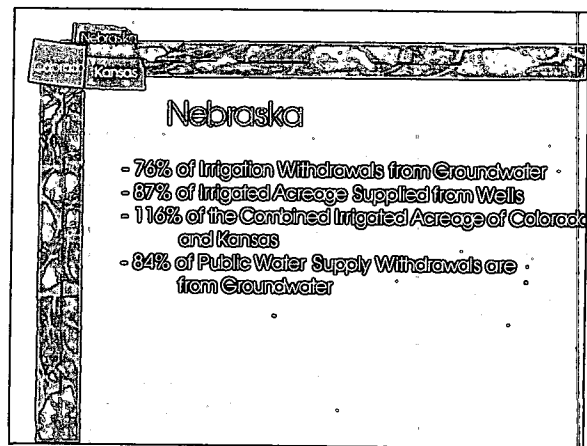


Wyoming
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Oklahoma



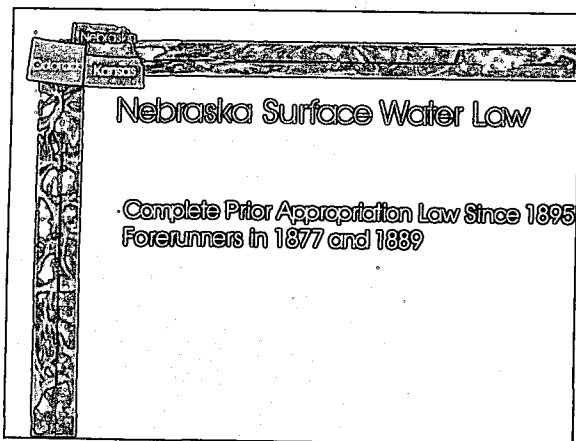
Alternate Approaches

- Designated Basins With More Returns
- Replacement Water
- Movement Towards/Achieving Safe Yield in Designated Basins (via allocations Etc.)
- Gradual Depletion and Non Interference
- Transferability
- Cut Off Lines for Legal Presumption



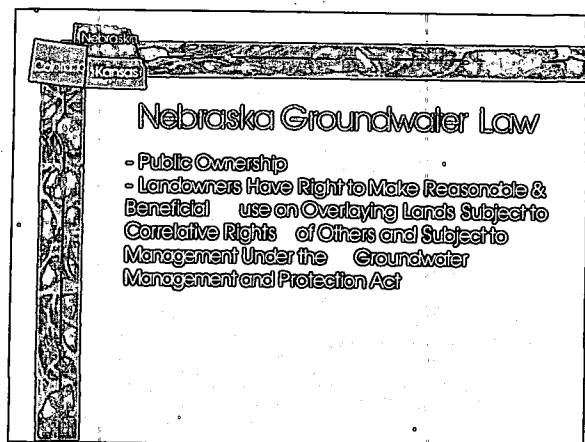
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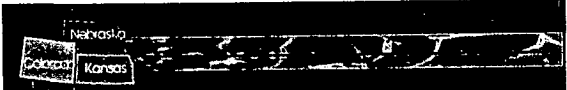
Nebraska Surface Water Law

- Complete Prior Appropriation Law Since 1895
Forerunners in 1877 and 1889



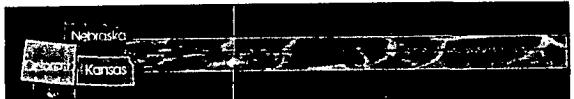
Nebraska Groundwater Law

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Nebraska Management of Hydrologically Connected

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Nebraska Management of Hydrologically Connected

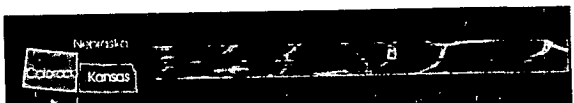
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