

11/2

① = Transfer of SW rts. off ground & GW well on it.
Other ①'s??

AB - List -

Re: rules to WPTF.

- 1) Wells 4 in 50' of stream.
- 2) F/A areas where couldn't restrict existing uses further. <"except areas in transition" was taken out>
- 3) Al Schmidt ①.
- 4) Replacement Wells ①. p. 19

DK - 3 other things west of @ city.

- 1) 46-290 <4 in 50' of stream> p. 8.
- 2) p. 21 - Springs. "when registered"
- 3) 46-720 p. 29 - to be raised & GW committee.

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- BB:
- 1) Transfer ①
 - 2) Al Schmidt ①
 - 3) Rules
 - 4) Forms
-

(I) - Transferring SW acres off land that has a well.

AB - Any Q re: an increase in acres??

BB - If land been irrig. by both B/H - is it really a ↑ in acres?

DK - Q positioned wrongly...
When transfer completed (SW) - is a ↑ in acres.

AB - If agree a potential ↑ - Q = what to do about it.
Q re: how to deal w/ it.

DK - 1) Ignore it.

2) Dept. say it will be a regret of the Imp.

BB - # acres already double counted??

AB - # acres makes a difference.

SF - Areas that will be Imp for years.
Chg. will diminish supply to other irrig's.
<46-294 (1)(d)>

BB - If can't transfer - subtract redage -

AS - Contract to divert keeps the redage.

Escape clause in contract.

State irrig. assoc. - Oblig. to lit. ev.
where water ut. goes.

BB - Can cancel K in 2 yrs.

DK - Where can leave - stud of problem.

AS - ~~to~~ Address as 2 diff. things -

DK - Still ↑ acres problem. Good point re.

continue diversion & it goes to recharge
but who pays for?

SF - Believe shouldn't ↑ irrig. acres?

DK - Transfer should go thru.

BB - Where all were. Thought rebuttable presumption.

SF - Way to do to sell it to others or TF??

46-294(1)(d)

DK - ~~will meet others~~

AB - Sr. rt. + transfer that -

Need to note sure not adversely affect Jr.
that wouldn't otherwise be turned off.

BB - How if date transfer it.

SF - Small stream - indiv. upstream of Jr.
downstream + has well close to stream.

now - devel. 160 acres 8/7 exists.

Have now 320 acres -

AB - not F/A - don't regulate wells in area.,

SF - Point = whatever - what happens in no-
F/A will be solved by this.

may not have if suff. water but "will
not diminish water avail. to other groups"

Have to note the analysis.

AB - But may not require effect.

BB - Delete "rebut. pres." from p. 32 - 46-294(2)

SF - 46-291(1)(F) for expenditures (arg. (b).
against BB position).

BB - How can you determine if irrig. ac
that there's irrig?

SF - (Don't like BB proposal Bk exp. stat. address)

AB - 46-294(2)

BB - Rebuttal is from Dept. 7

AB - Go along w/ what Dik said to point.

to enter \uparrow in imp. acres - a problem

BB - except - all on WPTA expected SW to be able to be transferred

46 Act 7

2 -

46-714 - p. 2+10.

p. 15 - stays re: SW - # acres he served won't be \uparrow .

46-714(2)(b) -

"under the appropriation" \rightarrow

AB - Stay can be lifted "FCS 5"

Q = who cares w/ \uparrow offset.

Dik - Have auth. to reg. -

AB - If NRD allows \uparrow in acres from CW - they have to offset when get to LRP.

Dik - Where does it say have to offset?

AB - Doesn't.

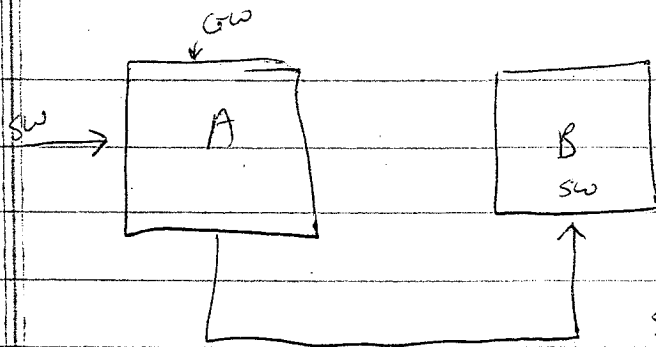
Dik -

AB - NRDs pushing hard re: don't worry re: offset to wells.

SPNRD = rule re: \uparrow CU for commercial / mini - limited to amount can offset w/ breaking bank.

Add words
 \uparrow
it
would
handle \uparrow

BB1 Scenario



A = GW
IMP

SW brings
recharge + benefit
to area
→ Bring offset % recharge.

AB - Will be ↑ in CU % of irrig.

If SW not used on A - is a ↑ in CU...

BB - used in last 5 yrs. - a adjid.

no way to know how much used.

AB - Can't go to "no potential for ↑ CU"

BB - SW brings its own offsets

AB - No one would arg. that 40 diversion - a
proba in that area. Has positive values.

BUT - will be ↑ in CU if apply to lands
not irrig. -

Q = low get recognition - if can't do
that + A uses GW only -

might continue to divert water - system
would start to break down.

Need to get to that argument.

Recognition of what going on in IMP + figure
out how to do that for x.

DS - How deal w/ in Regub. River?

AB - SW used - GW supplemented ..

move of SW - his in the same spot.

DS - if SW + GW - 12" from SW - get 3" from GW.

AB - Point is in 1MP had to deal with.

Telling WRPs if you lift stop - you have to be responsible ...

Concern of 60-70K acres for states to make up in addition to what already has - a problem.

Once a Pk - not a problem.

Problem is 4/5 now + then ...

Agree potential for ↑ irrig. acres.

if DNR has to make that up - Q = how??

→ In 1MP - could negotiate 4 WRPs.

BB - irrig. acre ↑ - agree.

↑ Consumption = but know.

AB - Agree -

if at most 5K acres - think can handle.

if 60K acres worried.

KS - How big an (I) is this??

DK - Few thousand acres.

AB - Can lift stop - FGCS -

BB - Backing up?

AB - '97.

TK - ~~of~~ F/A - put you past F/A.

DK - 715 req's offset.

AB - Go back + have discussions in Dept. + have Jim Cook involved - \$2+

§ 10.

SF - Ties into + another point -
What water use there first??

AB - Discuss in Dept. - see of (I) can go away.

DK 46-714 - break up into 2 (I)'s - raise
risk of ↑ of irrig. acres +
revise 46-715(3)(c) to include
ref. to cany. l.

AB - Summary: Dept. to discuss now + steps in
(2) + see what meant.

IDS was - (2) says can't spread
acres on GW + SW - but
who talking spread - don't
talk about today.

Assumption - where comingled
as long as SW doesn't
↑...

DK - key purpose to chg. - allow SW
trans to go thru. Can't support
AB descrip.

AB - Have GW well - was to trans.
100 acres to 120 - allow?

DK - No.

AB - SW re. why 100 to 120?

DK - No

AB - If SW + CW on one tract - 100 acres.

Can move SW to another tract
more than 100 acres + 8K +

look @ exp. from what happens
if well & well can pump so
long as doesn't ↑ from 100 acres.

DK - Best address ↑ acres from 100.

AB - Correct.

Stay = stay or spread. -

The prob. of ↑ CU - has to
be dealt w/ in IMP.

Concern = getting into too big a hole.
if can't deal conjunctively - not
sure what can do.

SF - SW + CW there now - move CW well -

AB - Same applies.

SF - Offset now or when IMP applies?

AB - Deal w/ impact.

AD - When IMP = timing of offset.

AB - Offset of adversely affects. Have to
say same if ↑ in SW acres.

Eastern NRDS concerned re: limiting
amt. of risk they take that they'll
have to come up w/ offsets. DNR can
be oblivious.

BB -

AB - w - w/o - + lose diversion

DNR Concern - if NRDS doesn't buy - still

have to offset Ch - debt was such a
big bill were out of balance.

JN - if debt need offset.,

AB - How maintain balance?

JN - - - -

AB - if F/A need in balance.

BB - 294(2)(b) - need to get rid of rebuttable??

SF - leave it + ok. ...

II. Point of Diversion

SF - When did laws re: trans. of div. pt. -
just trans. All.

For relocation law - didn't change anything -
& in law re: chg. of pt. of diversion
re: having anyone ~~else~~ else.

People don't know how to show harm.

Chg. in point - the transfer + B/c re chg.
in point - not limited to All.

→ Just "cannot harm".

AB - 2-step process - chg. diversion point 1st -
will look @ whether will harm.

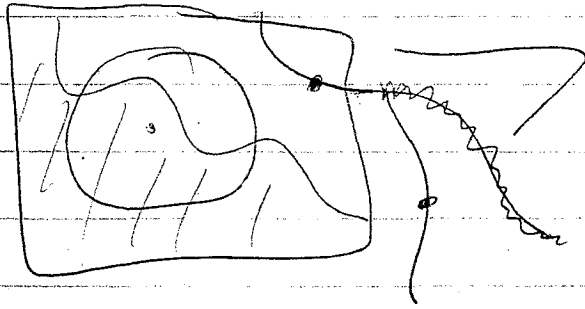
If chg. in diversion will not harm. -

why was chg. in pt. will become the

is if return cases bad elsewhere

Need to worry about??

SF



no or B/T -
 can do
 pt. of diversion
 then can do
 eff. trans. to
 now it all

DK - (E) re: losing return flows.

AB - How big an (I)?

SF - Sees big 4 field offices.

AB - How?

SF - Don't see - but an oddity.

AB - re 46-294(1)(e) -

def. chgd. pt. of diversion + "no bar"
 under rule (1)(A) - if the
 case in & chgd. across - we'd say "no"

SF - Prob. = if cases to us + shows
 both - if we process transfer - can
 only transfer Ch.

AD - Don't give legal advice.

DK - Couple ways - limit distance - e.g. -
 less than "x" allow -
 if allow all the time be more careful.

BB - over 3 ways in rule?

BB - Q re: trib.

AB - Es. Long + Platte - below Columbus.

AB - Get back to SF in couple days - if
don't hear - will assume OK...

III. Application