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WPTF SW / GW

Water Rights Subcommittee

Name

Representing

Ann Diers

DNR.

Susan France

DNR

Duane Woodward

CPNRD

John Thornburn

Tri-Basin NRD

Kod L. How

SPNRD

Ron Bishop

CPNRD

Ron Cacek

NPNRD

Kent O. Miller

Twin Platte NRD

BRIAN BARELS

NPND

Butch Krehlmoos

CCNRD

Al Schmidt

ML pp T.D

Erin Breed

NDNR

AGENDA

Water Policy Task Force Surface and Ground Water Rights Subcommittee

1:30 November 16, 2005

NPPD, Kearney

Note: page numbers refer to the draft changes handed out at the Task Force meeting October 6.

1. 46-290(1)(a) page 29 - additions of references to 46-240.01 and 46-637.

Issue - 46-290(1)(a) lists the surface water rights that would be allowed to transfer the right under 46-290.

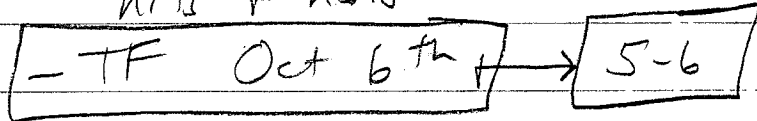
- By omitting the reference to 46-240.01, those surface water appropriators who had obtained a supplemental surface water right to increase their diversion rates from a rate of less than 1/70 cfs to a rate of 1/70 cfs to transfer that additional right.
 - By omitting the reference to 46-637, irrigation wells within 50 feet of a stream that are required to have a surface water right could not be transferred.
2. 46-651(4) spacing of wells page 21 addition of words "and when registered" to when spacing requirements shall not apply
 3. If a surface water right is transferred from land that is also irrigated by a well to land not previously irrigated, should we allow the well to continue to be used and if so, who provides the offset?

Issues for ground water rights subcommittee:

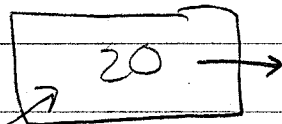
1. Authority to regulate all wells less than 50 gpm
2. Replacement wells
3. Municipal wells not required to obtain a transfer permit

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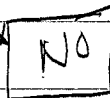
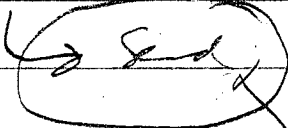
AB - WR Sub - - Extra copies
with + notes



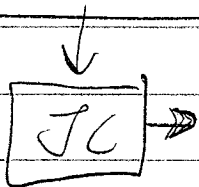
AB - 1) Agenda
[2) Interp. of laws.



AB - Agenda + extra copies -



⊛ When look @ trans. for SW permit -
don't look @ it in acres b/c exists
GW wells b/c separate.



DNR - status

Imp rel affect.

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J Cook. / SF

re: (E) re: 46-714

Principle - when reach this point, should not
↑ acres.

Don't remember TF discussing it.

⊛ Deal 7 is IMP.

Just in place 'til IMP done.

→ NRD could pass Resolution.

→

⊛ People's contracts - can't force them to keep.

⊛ Map transfer - stick what have.

⊛ New people are already irrigating.

JK - Guide or applicant for transfer

to show no harm.

NRD can get involved.

Until IMP done - no choice.

if prove - Acres irrig prior to 7/04.

Loys relay?? →

"GCS" →

BUT was a violation.