

Compensation Sub-Committee Meeting
August 11, 2003

Attendees: Don Kraus
Claude Cappel
Clayton Lukow
Tom Schwarz
Ron Bishop
Roger Patterson
Dick Mercer
Dennis Strauch
John Turnbull
Dave Sands
Jay Rempe
Brian Barels
Clint Johannes
Ron Cacek (by phone)

Agreements:

- 1) Develop general guidelines in legislation to give stake holders a level of comfort that outcome will be acceptable but leave the details of the plan to be worked out in the joint action plan.
- 2) Correlative rights would still apply to ground water users.
- 3) Mitigation must take into consideration impacts of not only ground water use but also the impacts of conservation, drought.
- 4) Overappropriated reach of the Platte system is above the Kearney Canal Diversion near Elm Creek.
- 5) Must be equity across the state.
- 6) Further details and regulations etc. will be worked out in the joint action planning process.
- 7) Absolutely need a good funding mechanism for the compensation and offset water supplies, not to mention funding is also needed for the measurement and regulation of water.

No Agreement

- 1) Impacts of post 7/1/97 wells would be offset by the State up to 200? if there is a Cooperative Agreement; otherwise the NRD or the individual well owners; post 97 lag effects from pre 97 wells will be compensated or offset by the state; [Some former surface water users have recently put in wells to compensate for the surface water they have lost; if these recent wells are regulated, there is a double whammy on those who have lost the surface water.]
- 2) Districts pay for pre-97 users to provide water to McConaughy.
- 3) In those areas where users rely on Lake McConaughy, impacts of pre 97 wells would be regulated with a trigger mechanism with compensation provided by the state.

Need a plan to deal with pre-97 wells:

Questions to answer:

Is the triggering mechanism feasible?

How do you parse out drought, conservation and impacts of wells?

How could ground water users share some of the pain of, or help soften the blow of, drought on surface water users?

Compensation sub-committee 1:00 September 12 at CPNRD.