

Nebraska Department of Natural Resources Responses to
Questions Handed Out by Steve Smith at
The Middle Republican NRD Public Information Meeting
July 9, 2004

Q1. The DNR is asking each NRD to prepare plans. What are the requirements of these plans?

A1. Reduce the 1998-2002 level of pumping by 5% to offset the lag effect and in water short years to reduce pumping through regulations or an incentive program to cover their share of the overuse above Nebraska's allocation.

Q2. When we pump water from the aquifer, what portion of that affects the stream flow? Remember that all of the cuts you are being asked to make are based on this estimate. Those wells that are close to the stream have a high depletion effect while those further away have a lower effect. What are those numbers?

A2. The Republican Compact Groundwater Model is the basis for determining the depletion to stream flow caused by the water consumed from pumping a groundwater well. As long as the well is hydrologically connected to the stream, almost the entire amount of the water consumed by the use of this well will eventually show up as a depletion to the stream no matter how far the well is from the stream. However, it is true that the closer the well is to a stream, the more the quickly the impacts of using that well will show up on the stream. It is also true that the lag effect lasts longer the farther you are from the stream.

Q3. What is the lag effect for each district each year? We do not want the definition of the lag effect; rather how much does the DNR expect the area will have to reduce usage by each year to make up for the lag effect? This is separate from any drought effect reductions.

A3. To cover the lag effects in the near term, the DNR is asking each district to reduce the average pumping level for the years 1998-2002 by 5%.

Q4. What does the NRD estimate will be the economic impact of each level of reduction they are proposing? The State has done a study, but sealed it. How many tenant farmers, how many suppliers, how many people will lose their jobs?

A4. A privately financed study to assess the economic impacts of various management options is currently underway. This study should be available by July ?? . Any speculation before then is premature.

Q5. What is the cost of pumping water into Harlan County Reservoir? Has the DNR or the NRD done any studies considering this idea? Why is this idea being rejected.

A5 This concept is not being rejected. In fact, DNR presented this idea to the NRD board members several months ago. After receiving a positive response, the DNR hired a consultant who is currently investigating this option.

Q6. Why does a surface water user have higher access to water than an aquifer user? The Compact allows the surface water user first rights to all available water. The aquifer user is then allowed the remaining allocation. Why?

A6. The Compact does not provide the first rights to surface water users and as a practical matter water available for surface water users is what is left over after the groundwater pumpers have used their wells. This year is a good example; only one of the eleven federal canals is receiving any storage water. Originally, the Bureau canals were to use natural flow as the primary source of water; storage water was to be used mainly to supplement natural flow during drought conditions.

Q7. Is my well considered a quick response well? Quick response wells are wells within one mile of the center of the stream. However, there is a very large difference in opinion as to how far up each tributary is defined as "stream." The cut off point on the tributary will have a major impact. Where are those cutoff points, and why can't they be specified now?

A7. This is definition of quick response wells is incorrect. The map showing the Quick Response Well area has been available at the NRD offices for several months. The URNRD and the DNR are now making adjustments to the map for management purposes.

Q8. It is hoped that CREP will finance the retirement of 50,000 acres in the basin. There are about 250,000 quick response acres in the three districts. What happens to those people with a quick response well who must make a larger reduction in usage but do not get CREP money because there is not enough for all?

A8. The DNR and the NRDs are currently trying to develop plans that will finance a voluntary reduction program in the QRW area. CREP funding is only one part of this plan. Hopefully reductions can be made on a voluntary basis. If the incentive plan is not successful, we would like to at least be able to compensate anyone who is required to make a reduction in pumping.

Q9. Does the NRD have the authority to place a tax on irrigated land or per inch of water used beyond what is collected now?

A9. LB 962 provides an NRD with the authority to develop incentive plans.. Whether that includes that assessment of fees associated with water management options is untested at this time.

Q10. What benefit does one NRD get by making a greater reduction in usage than other NRDS?

A10. The reductions required by the State are no more than will be required to keep Nebraska in compliance with the Compact. No NRD is being asked to do more than their share of reduction. The required reductions are in proportion to the depletions to the streamflow by each NRD for the years 1998-2002.

Q11. Why won't the DNR release any official numbers or place on their web site any of the data needed to make decisions?

A11. All the official data currently available is posted on the web site or is accessible by links to other web sites (). These data include the Republican River Compact Administration Groundwater Model and all the input data through the year 2000.

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Response to URNRD fax re. water claim.com

¶ 2 the 25% - 50% is for water short years + QRW areas

¶ 3 what economic parameters were assumed?

¶ 4 - Nebraska is not responsible for providing KS with any water. Neb. must simply live with allocation based on available H₂O supply.

- "Hurt the economy" needs to be able to be viewed in context of being hauled back into court.
- The law, both state & Federal dictates what NE can do. The NRDs have GW authority as long as they comply with the law. It's not much difference between that responsibility & that of a trustee who must wisely expend funds on behalf of dependent heirs. If the trustee fails, he loses that authority.
- NDNR doesn't assume every well's pumpage affects stream flow. The modelers