

OFFICIAL PUBLICATION NOTICE

ORDER

BY VIRTUE OF THE AUTHORITY VESTED IN THE MIDDLE REPUBLICAN NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS BY NEBRASKA REVISED STATE STATUTE SECTIONS 46-701 TO 46-753, IT IS HEREBY ORDERED:

1. The rules and regulations of the GROUND WATER MANAGEMENT AREA, EFFECTIVE July 1, 1998 are revised to include rules adopted on September 12th, 2006 after a public hearing on September 12th, 2006.
2. That all rules and regulations pertaining to the administration of the management area are contained within the revised "Rules and Regulations, Ground Water Management Area, Middle Republican Natural Resources District" and shall become effective December 1, 2006.
3. The Integrated Management Plan for the Middle Republican Natural Resources District and the Nebraska Department of Natural Resources included as Chapter Six of this revision shall remain effective as of January 1, 2005

The following are those revisions:

DEFINITIONS

- 3-1.42 Replacement well means a water well that replaces an existing water well that has been or will be decommissioned or has been or will be permanently modified to pump fifty gallons per minute or less and will be used only for those purposes authorized by law. The replacement well may only be used for the same purpose as the original water well and must meet all the requirements of Nebraska RRS § 46-602 as amended and any other applicable laws and regulations of the Departments of Natural Resources and Health and Human Services and the NRD.

RULE 5-3 ALLOCATION

- 5-3.3 New industrial uses shall be granted a base consumptive use allocation of 80.65 acre feet per year.
- 5-3.3.1 For uses requesting an allocation greater than 80.65 acre feet, the allocation must be approved by the board of directors. The person requesting the allocation shall provide evidence that the allocation requested is no greater than the industry related standard for that type of use.

- 5-3.3.2 For a use without an industry related standard the industry must apply for an allocation using the variance process.
- 5-3.3.3 Preapproval, by the board, of an allocation may be requested by an economic development group or similar organization. Allocations approved in this manner are only valid for a period of one year from the date of approval unless the industry begins operation.
- 5-3.3.4 Allocations for industrial wells the use of which come under the authority of the Industrial Ground Water Regulatory Act shall be determined by the amount permitted by the Act.
- 5-3.3.5 In all situations an economic development group or an industry may purchase or otherwise retire an existing allocation and apply that use to there planned development.

Renumbering of current sections may be required by these revisions:

Copies of the full text of these revised rules may be obtained by contacting the Middle Republican NRD, PO Box 81, Curtis, Nebraska, 69025. The full text of these revised rules is available on the district website at www.mrnrd.org. The full text of the current rules is also available on this site.

Publish once each week for three (3) consecutive weeks with the first publication on November 7th, 2006 and subsequent publications on November 14th, 2006; and November 21st, 2006.