

**Lower Republican Natural Resources District
AMENDMENTS TO GROUND WATER
MANAGEMENT AREA
And
INTEGRATED
MANAGEMENT PLAN**

**ORDER
July 20, 2006**

**Effective
August 20, 2006**

FINDINGS OF FACT

1. On May 19, 2005, and pursuant to NRRS § 46-715, the Lower Republican Natural Resources District (LRNRD) adopted the Ground Water Management Rules and Regulations and Integrated Management Plan. The LRNRD has since implemented the identified ground water related controls in accordance with NRRS § 46-739 and applicable law.
2. The LRNRD also designated the geographic boundary of the ground water management area for integrated management as the boundary of the Lower Republican Natural Resources District. The stratigraphic boundary of the ground water management area for integrated management is from the land surface to the base of the underlying sand and gravel layers that contain the water bearing material. The base of the sand and gravel layers rest on impervious layers of Niobrara Chalk, Pierre Shale or formations from the White River Group.
3. The Order, the Ground Water Management Rules and Regulations, and the Integrated Management Plan, including the ground water related controls contained therein, became effective on June 24, 2005.
4. The LRNRD and the Nebraska Department of Natural Resources (DNR) have since agreed, pursuant to NRRS § 46-715(4)(d)(ii), to amend Rule 6-4 of the Ground Water Management Rules and Regulations and Integrated Management Plan to provide more specificity about the flow meter requirements and penalties for failing to properly install an operational flow meter and/or for tampering with a flow meter. A copy of the proposed amendments to Rule 6-4 of the Ground Water Management Rules and Regulations and Integrated Management Plan (redline version) are attached hereto and incorporated by this reference.
5. The LRNRD Board discussed the proposed amendments during its April 13, 2006 and May 11, 2006 meetings.
6. The LRNRD Board held a Public Hearing on the proposed amendments on July 13, 2006. All parties present were given the opportunity to testify.
7. Notice of the July 13, 2006 Public Hearing on the proposed amendments to the Ground Water Management Rules and Regulations and Integrated Management Plan was published in accordance with NRRS §§ 46-718 and 46-743 in the following newspapers in the LRNRD:
 - a. The Kearney Hub
 - b. The Hastings Tribune
 - c. The McCook Gazette
 - d. The Arapahoe Public Mirror

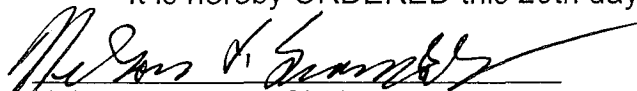
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- e. The Cambridge Clarion
 - f. The Oxford Standard
 - g. The Times-Tribune Printing Co.
 - h. The Franklin Chronicle
 - i. The Harlan County Journal
 - j. The Red Cloud Chief
 - k. The Superior Express
8. Copies of the proposed amendments to the Ground Water Management Rules and Regulations and Integrated Management Plan were made available from the LRNRD office in Alma, Nebraska, and at the County Natural Resources Conservation Service Offices in Beaver City, Alma, Franklin, Red Cloud, and Nelson, Nebraska at the time of publication of the newspaper notices.
 9. Persons wishing to provide written testimony were given until 5:00 p.m. on July 13, 2006, to present testimony. Copies of the written testimony were provided to the LRNRD Board of Directors and to the DNR for their consideration.
 10. The Board considered all testimony submitted at the Public Hearing and, in open session at the July 13, 2006 Public Hearing, voted unanimously to adopt the amendments to the Ground Water Management Rules and Regulations and Integrated Management Plan.

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

11. Rule 6-4 of the Lower Republican Natural Resources District Ground Water Management Rules and Regulations and Integrated Management Plan, attached hereto as Attachment 1, are hereby adopted and the ground water related controls identified shall be implemented by the LRNRD in accordance with NRRS § 46-739 and applicable law.
12. This Order and the amendments to the Ground Water Management Rules and Regulations and the Integrated Management Plan, including the ground water related controls contained therein, shall become effective on August 20th, 2006.

It is hereby ORDERED this 20th day of July, 2006.


Nelson Trambly, Chairman


Roger Nelson, Secretary