

Natural Resources News

Winter 2010 A Newsletter of the Twin Platte Natural Resources District Vol. 25

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What You Need to Know About Twin Platte Natural Resources District (TPNRD) Requirements for Increasing Platte River Flows

The State of Nebraska (State) has determined that the Platte River Basin above Elm Creek, Nebraska is “over appropriated”. The Natural Resources Districts (NRDs) in the Platte Basin above Elm Creek ***are required by Nebraska law*** to provide additional water to the Platte River in order to ***offset depletions to surface water rights***.

The State has agreed to a Platte River Recovery Implementation Program (PRRIP) for habitat. The State and the NRDs in the Platte Basin above Elm Creek ***are required to meet the demands of Nebraska’s commitment to the PRRIP*** agreed to by Colorado, Wyoming, Nebraska, and the U.S. Department of Interior.



FIRST STAGE: The first stage for both requirements is to return the river to the 1997 level or condition. For the Platte River Basin above Elm Creek, that requirement consists of adding 26,200 acre feet of water per year. For the TPNRD, that requirement consists of adding 7,700 acre feet of water per year to the stream within the TPNRD. The 7,700 acre-feet will have to come from existing uses, as the river is “over appropriated” and there is no new water readily available.

SECOND STAGE: The second stage deals with offsetting depletions to surface water rights and getting the “over appropriated” area above Elm Creek back to a “fully appropriated” condition. The amount of water needed to be added to the river to accomplish that requirement is being studied.

Whatever the amount needed, there are choices available to NRDs to get the necessary water to the river. Three of those **choices** are:

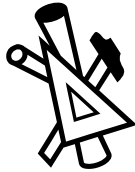
- 1) **Retime the river flows by catching and storing high flows not needed for PRRIP purposes or for surface water rights, and then release it when flows are too low to accomplish the Program goals.**
- 2) **Acquire and retire water from existing users and let the unused water feed back to the river over time.**
- 3) **Regulate ground water irrigators to reduce consumptive use, and let the unused water feed back to the river over time.**

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CHOICE 1: The TPNRD is currently looking at ways to accomplish the first choice (retiming the river flows by storing and releasing at a more appropriate time).

CHOICE 2: The second choice is also being considered to acquire and retire water from willing sellers (both certified ground water irrigated acres and individual surface water rights). It's a program we call "Water Banking."

CHOICE 3: The third choice is the least desirable because it would be the most damaging to the agricultural economy. Ground water is handled on a correlative rights system, where all ground water users are treated alike. A share and share alike system is if you regulate some, you must regulate all the same. Under such a system, you are going to regulate some folks that have a much smaller impact on the river than others, so you affect more acres than you would under the "water banking" program, where you can work with willing sellers and concentrate on those acres that provide the most water to the river, while retiring the fewest acres of irrigated cropland.

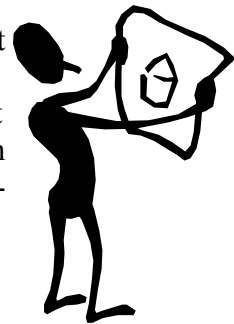


TPNRD Approach and Funding

The Board of Directors (Board) has recognized that there's probably no one magic bullet, and that it will take several options to get us where we need to be by the various target dates. The Board's priorities, however, are to concentrate on Choice 1 and Choice 2, hoping to get all or as much as possible of the needed water with the least impact on irrigated lands.

The plan is to only use Choice 3 as a last resort. To avoid choice 3, the TPNRD Integrated Management Plan provides:

- If, by the end of 2012, an accretion to the river equal to or exceeding a rate of 5,804 acre-feet annually and every year thereafter throughout the first 10 year increment has not been met, the Nebraska Department of Natural Resources (DNR) and the TPNRD will jointly determine what steps need to be taken to ensure that the agreed upon regulatory actions will be in place by the beginning of the 2014 irrigation season.
- The DNR and the TPNRD will jointly determine that steps to implement regulatory actions will not be required if the indicator of 5,804 acre-feet annually and every year thereafter throughout the first increment has not been met by the end of 2012, but programs and/or projects that have been or will be implemented for the purpose of meeting this indicator will provide accretions to the river of 5,859 acre-feet annually and every year thereafter throughout the first 10 year increment by the end of 2013.



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How much is 7,700 acre-feet, 5,804 acre-feet, 5,859 acre-feet????

- If all the offset water had to come from retiring ground water consumptive use from willing sellers (Choice 2), one analysis by the State s hows it could require that 25,000 acres of irrigated lands be taken out of production in the TPNRD to get 6,760 acre-feet. If irrigated land is worth \$2,000 more than dryland, the cost for this analysis could be \$50 million.
- Whatever the dollar value of land is, this illustrates that the state and P RRIP requirements are very costly and that alternatives for offset water **must** be considered.

What is the source of money to finance choices?

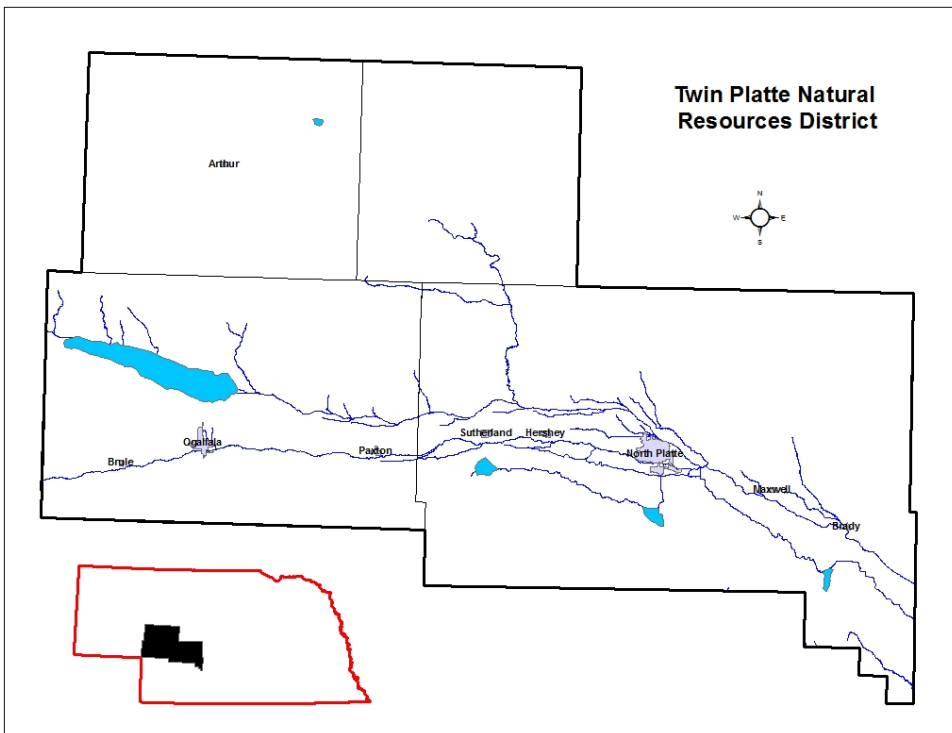
Current Annual Funding Available for Offsets in the TPNRD



\$1,600,000.00	TPNRD
\$ 600,000.00	State (Water Resources Cash Fund)
\$ 300,000.00	Nebraska Environmental Trust Grant
<u>\$2,500,000.00</u>	



Property tax can only be a part of the answer for the TPNRD.



Are you installing a pivot or changing your irrigated field boundaries?

Any changes or increases to certified irrigated acres **MUST** be approved by the Twin Platte NRD Board of Director’s prior to the change. State law provides that there will be **NO** new irrigated acres. If you’re converting a flood field to a pivot, and by doing so tearing down an old

homestead or bin site and adding acres not previously irrigated even though you will be irrigating the same number of acres, you **MUST** contact the TPNRD first. If you have 100 certified irrigated acres and you decide to put a pivot on those acres, and you will still be irrigating 100 acres but now you have included 10 acres that had been pasture, you **MUST** contact the TPNRD. Aerial photography is flown on an annual basis and violators will pay a fine and be penalized. Please notify the NRD before making *any* changes!

Twin Platte Natural Resources District

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Jim Rubenthaler.....(H)584-3578.....	At-large
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Doug Stack.....(W)535-8308.....	3
(Vice-Chairperson)	
Jerry Weaver.....(W)534-9240.....	3
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<u>Staff Members</u>	<u>Position</u>
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Dave Slattery.....	Conservation Programs Coordinator
Bill Carhart.....	Range Programs Coordinator
Glen Bowers.....	Water Programs Field Coordinator
Ann Dimmitt.....	Water Programs Regulatory Coordinator
Kevin Spelts.....	Ground Water Modeler
Phil Heimann.....	Conservation Technician
Chase Dodson.....	Conservation Technician
Amy Mapes.....	Administrative Assistant
Kathy Clark.....	Field Office Secretary, North Platte NRCS
Justin Lemmer.....	Range Programs Tech, North Platte NRCS

Natural Resources News is the official publication of the Twin Platte Natural Resources District. If you have any questions, comments, suggestions, or would like to be placed on our mailing list, please feel free to submit them to:

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 P.O. Box 1347
 North Platte, NE 69103-1347
 Phone: (308)535-8080
 Fax: (308)535-8207
 e-mail: tpnrd4@nponline.net

Chemigation Applicator Training 2010

March 10	1:00 pm MT	Grant Public Library, Grant, NE
March 11	1:00 pm MT	Valentino's, Ogallala, NE
March 11	10:00 am CT	Logan Co Courthouse, Stapleton, NE
March 18	1:30 pm CT	WCREC, North Platte, NE
April 22	1:30 pm CT	WCREC, North Platte, NE
May 20	1:30 pm CT	WCREC, North Platte, NE

WCREC stands for West Central Research & Extension Center
 For Grant and Ogallala sessions,
 Contact **Doug Anderson** at (308) 284-6051
 For Stapleton session, contact **Troy Walz** at (308) 872-6831
 For WCREC sessions, contact **Dave Boxler** at (308) 696-6721

NOTE: Please bring a calculator, a pen, and a pencil

Upcoming Events:



March

18 Board of Director's Meeting - 3:00 p.m. CDT*

April

8 Board of Director's Meeting - 7:30 p.m. CDT*

May

13 Board of Director's Meeting - 7:30 p.m. CDT*

* Board Meetings are held in the TierOne Bank Center-North Platte

TWIN PLATTE

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