

# Integrated Management Plan Stakeholders Meeting

## Twin Platte Natural Resources District

### June 18, 2007

**Stakeholders present:** Phil Armstrong, Don Colvin, Burdette Cooley, Lisa Dominisse, Mike Drain, Jim Hawks, Marion Kroeker, Tina Kurtz, Frank Kwapnioski, Jim Meismer, Dudley Oltmans, Roric Paulman, Robert Petersen, Page Peterson, Dennis Schilz, Jerry Steinke, Mike Svoboda, Doug Teaford, Steve Van Boening, Joe Wahlgren, T.J. Walker, Jerry Weaver, Mike Wheeler, Robert Wiseman.

**Stakeholders absent (excused):** Jim Goeke, Kenneth Schilz

**Stakeholders absent (unexcused):** Steve Krajewski

**Resource People:** Ann Dimmitt, Kent Miller.

---

The Stakeholders Meeting was called to order at 7:05 p.m. CDT

### Announcements and Presentations

Meeting notes from the previous meeting were approved without any corrections.

**Kent Miller** announced that the TPNRD Board approved participation in a joint project with the North Platte NRD and the South Platte NRD to determine the ET or consumptive use for each NRD using satellite imagery. This project, headed up by Gary Hergert (Panhandle Research and Extension located in Scottsbluff), is scheduled to get underway July 1. Total water used in each district in 1997, 2000 and 2005 will be determined and the NRDs will end up with a tool that can be used to calculate consumptive use in any other year. This information could also be helpful in dealing with invasive vegetation.

Discussion continues about TPNRD joining the proposal to add a surface water component to the COHYST model in the CPNRD (Dawson County) and the TPNRD. This information, combined with ET data, should provide the basic tools needed for water budget calculations.

**Facilitator Lorre McKeone** shared information circulated to Over Appropriated (OA) Basin Stakeholders from Don Kraus (CNPPID), Frank Kwapnioski (NPPD), and Roric Paulman (producer and President of West Central Nebraska Water Users Coalition). Each of these OA Basin representatives either offered suggestions for changes in, or voiced questions about, a draft of a Basin-Wide Plan for the over appropriated portions of the Platte River basins. Since issues addressed are also faced by the Twin Platte Natural Resource District the Facilitator asked Stakeholders if they would like to hear key points being made by each of these OA Basin representatives. Stakeholder indicated their interest in this information and approved a change in the agenda to allow this discussion (see below).

### Presentations and Discussion

**Mike Drain**, representing CNPPID, was familiar with some of Don Kraus's suggestions. While he could not speak to everything, he did share the following observations about Don's proposal:

- To achieve the intent of LB962, the basin-wide plan should include goals and objectives to address the following: Incrementally achieve a balance of water supply and use, return to 1997 levels of use, implement the Nebraska New Depletion Plan, insure equity in water use, provide ways to resolve conflicts in water use and protect water users in one part of the basin from uses in another NRD. The IMP should also protect appropriations from adverse impacts from junior users and vary water use with water supply such that uses decline with declines in supply.
- Programs to permanently retire ground water irrigated acres in over appropriated areas need to be developed. Surface water irrigated acres are not targeted because of the need to maintain these areas for ground water recharge.
- The IMP for the North Platte NRD should include a dry-year-management plan

Stakeholders questioned use of surface water terminology ("junior users") when statutes indicate ground water use will continue to be managed under a correlative rights system. Central believes there is a constitutional issue regarding the right to prior appropriations of all users to the degree that they are tied

to stream flow. This issue is still to be resolved by the courts but Central feels it is an appropriate goal for the OA Basin IMP to insure senior surface water users aren't harmed by a junior user or well driller.

Another stakeholder noted that the assumption surface water irrigated acres would not be targeted is unfair to ground water users. Mike explained that voluntary programs to pay farmers to take ground irrigated acres out of production should not be offered to surface water irrigators because we need the surface water in the streams, especially in the North Platte NRD. Some stakeholders still contended that if it helps the overall water budget then this option should be available to all water users.

Another area of concern was that Central appears to single out North Platte NRD when requiring a dry-year management plan. Mike explained that this was done because of the disproportionate impact of the North Platte NRD on the entire Platte River basin. He also contended that individual NRD plans needed to abide with the basin-wide plan.

**Frank Kwapnioski**, representing NPPD, noted that, for the most part, NPPD agrees with much of the draft of the basin-wide plan. He believes that Central is focusing more on objectives while NPPD is focusing on methods. Frank's suggestions were primarily to add back to the plan elements that had been previously discussed but not included in this draft, including the following:

- NPPD supports an incremental approach but believes the plan should be comprehensive and go beyond the first increment (to get to 1997 levels) and work toward fully appropriated.
- Language should address surface water and ground water uniformly unless distinctions are clearly made in statutes. The plan needs to look at all types of water use.
- The plan should include a provision to allow DNR, with the input of NRDs, to reconvene the OA Basin group to review and attempt to resolve issues associated with unmet expectations.
- The plan should include a listing of management approaches that could be used which include both ground water controls and surface water controls.
- An Appendix detailing a conceptual water budget was added. Any plan should identify the amount of water available and how it will be used, from a fact-based, physical perspective. It needs to look at the full water supply and incorporate an equitable process which optimizes available water. Once we know how much water is available, management approaches to support a sustainable level of water consumption can be developed. As we understand supply and uses better we may be able to discover opportunities for greater efficiencies and reduced consumption.

Stakeholders asked about the timeline NPPD was proposing. Frank said they want to meet statutory requirements and don't believe that perfect information is required to begin the process. It can be refined with better information over time. However, it is not appropriate to have knee-jerk reactions without solid information to show how to keep from consuming more water than is available. This information can also help identify viable opportunities for maximizing water supply and utilization.

**Roric Paulman** did not offer specific changes to the draft proposal but posed questions and made comments that should be considered. He believes a lot of decisions are being made by Central, NPPD and DNR but questions whether they have considered how to make reductions valuable. He is concerned about a perceived need to rush to decisions about management approaches just when we are finally beginning to get useable information. He noted that surface water appears to be excluded in the management plan for the basin and wants to know where funds will come from to pay people to retire irrigated acres when corn prices are at a historic all-time high. No one has offered a plan from a ground water perspective or evidence that even a 100% ground water reduction would significantly impact stream flow, especially in the short term. Why aren't we looking at "one water"? The proposal seems to focus on shortages only (i.e. dry year cutbacks) rather than whole basin management. He offered these thoughts for the plan:

- All water users need to be encouraged to seriously evaluate their water management operations, in both their ability to serve users and the impact these operations have on other water users within and outside the suppliers boundary.

- The period we are charged with, encompassing years of normal water supplies and years of drought, illustrates how water utilization has shifted between ground water and surface supplies in response to hydrologic conditions.
- The basin plan should promote conjunctive use of water through its policies and operating practices which support sustainable agricultural production and extend to municipal and industrial users in the basin.
- Development of a water budget opens up the opportunity to work together to examine water management practices from new as well as traditional perspectives. It will confirm the importance of conjunctive management practices to provide reliable and adequate water supplies to users while satisfying additional needs that develop. It could validate certain existing practices and reveal additional areas needing attention, resulting in actions that otherwise might not be initiated.

Roric suggested that we make surface water more responsive to a dry year management scheme by doing things like updating information on number and usage of privately owned groundwater wells on surface supplied areas, installation of new flow measurement structures, improved measurement of deliveries of surface water, support for a System Automation/SCADA master plan to provide increased flexibility in surface water deliveries, support for a mobile lab for site evaluation of water practices and support for a conservation measures study to determine the impact of terraces and converting cropland back to native grass.

Roric concluded that it is difficult for people outside the circle of those now managing water to have an impact on this process. It appears everyone is tugging at little pieces of the problem rather than looking at it as one water that needs to be managed. Mike Drain replied that over a year ago Central offered a draft to reduce both ground water and surface water beyond what the legislation initially requires. Some things NRD and DNR can mandate but can't do things like requiring a user to use less than its allocated right.

One Stakeholder was concerned the OA Basin group is trying to take a regulatory role over other NRDs in the basin. Some believe that originally it was thought that the Basin IMP would be more of an umbrella plan providing general guidelines rather than specific management approaches that all NRDs would be required to follow. Mike contended that the Basin-wide group could set minimum requirements for individual NRDs. Some disputed this idea believing that nothing in the legislation says the OA Basin group can regulate individual NRDs.

Stakeholder Doug Teaford shared statements in a recent news article made by producers and water users in the region who support fairly aggressive action to manage water and acknowledge that some painful things need to happen if we are to resolve the over appropriated problem. He thinks we are tiptoeing around the issue, talking about small decisions and trying not to hurt or upset anyone. But are we addressing the long term solution? Crop prices driven by ethanol production are leading some districts to make unwise decisions about water use.

The question was asked: Where is the OA Basin group in its process to develop a plan? Jim Meisner replied that initially the OA Basin group was leading in forging a plan but ran into the same problem the individual NRD groups face – lack of good information upon which to make decisions. While everyone has been slowed down in this process, he is optimistic about finding solutions to long asked questions as groups move forward with adding a surface water component to COHYST and a consumptive use study is initiated. For the first time we will have information needed to put together a water budget that is defensible. This has taken more time than originally anticipated and may require that we take advantage of the two one-year extensions allowed by law to come up with a defensible plan.

Dudley Oltmans made the following motion:

***The TPNRD Stakeholders recommend that the OA Basin Stakeholders develop a common understanding or definition of the following: 1) What is “fully appropriated” and what procedure or methods will be used to determine this in each NRD? 2) What share of the total water shortage will each of the NRDs in the Basin be responsible for? 3) What water is being addressed in the IMPs (surface water, ground water or both)?***

The motion was seconded by Marion Kroeker and approved by the Stakeholders with 12 voting in favor of this motion, 2 voting against it and 2 abstaining. Representatives to the OA Basin meeting were asked to share this viewpoint at their Basin meeting on June 20, 2007.

Since it was too late to start on a discussion of management strategies it was decided that those approaches scheduled for discussion at this meeting should be discussed at the next meeting.

### **Meeting Schedule**

All meeting times are from 7:00 to 9:30 p.m. CDT and ***will be held at the Holiday Inn Express.***

Future meetings:

7:00 p.m.	July 16
7:00 p.m.	August 20
7:00 p.m.	September 17
7:00 p.m.	October 15
7:00 p.m.	November 19
7:00 p.m.	December 17

The meeting was adjourned at 9:20 p.m.