

Natural Resources News

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Effective June 18, 2007 there is a Stay on the Construction of New High Capacity Water Wells and a Stay on Increasing Irrigated Acres within all of the Twin Platte Natural Resources District.

THE LAW

Recommendations presented to the Nebraska Legislature from the Water Policy Task Force resulted in Legislative Bill 962 being enacted during the 2004 Legislative Session. As a result of that Legislation, the Platte River Basin west of Elm Creek, was declared over appropriated. The Natural Resources Districts within the over appropriated area of the Platte River Basin are required to prepare an Integrated Management Plan (IMP) in cooperation with the Nebraska Department of Natural Resources, for the over appropriated area of the Platte River Basin. The Platte River Basin is to be returned to the conditions of 1997 within 10 years and eventually is to be returned to fully appropriated.

WATER NEEDED

The amount of water needed to return the Platte River Basin to the conditions of 1997 is not known and methods are being developed to make that determination. The best estimate at this time is initially 29,000 acre-feet annually, increasing to 39,000 acre-feet annually of water. The amount of water needed to return the Platte River Basin to fully appropriated is also not known and methods are also being developed to make that determination.

HISTORY

To limit the amount of water that would be needed to return the Platte River Basin to the conditions of 1997 and to fully appropriated, the Board of Directors have taken the following actions:

- On July 1, 2004, a temporary suspension of drilling new high capacity water wells in a portion of the Twin Platte Natural Resources District along the North Platte, South Platte, and Platte River became effective. Development of new irrigated acres was allowed through June 30, 2005 from any water well constructed between October 1, 2003 and June 30, 2004. Rules and regulations for the temporary suspension, in anticipation of Water Policy Task Force recommendations being enacted by the Nebraska Legislature, had been approved by the Board of Directors on February 12, 2004.
- On July 16, 2004, a stay on the construction of new high capacity water wells and a stay on increasing irrigated acres within the area previously subject to the temporary suspension became effective. This was the result of Legislative Bill 962, adopted during the 2004 Legislative Session, becoming operative, thereby superseding the temporary suspension and imposing stays. Development of irrigated acres through June 30, 2005 from any water well constructed between October 1, 2003 and June 30, 2004 was still allowed.

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