

ORDER

BEFORE THE TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS

In the matter of expanding the Phase 3 Groundwater Quality Management Area (IWMA) of the Tri-Basin Natural Resources District (Tri-Basin NRD, or NRD).

THE BOARD FINDS THAT:

1. Groundwater quality in certain portions of the district is impaired due to contamination with nitrate-nitrogen. Leaching of nitrates originally applied as nitrogen fertilizer for crops is a significant cause of this contamination.
2. Average groundwater nitrate contamination levels in portions of certain townships that were designated as Phase 2 for groundwater quality in 1992 have not declined by at least one part per million, when compared to 1992 average nitrate levels.

IT IS CONCLUDED THAT:

1. The Board of Directors, in order to protect groundwater quality and to effectively enforce the Nebraska Groundwater Management and Protection Act, have determined that it is necessary to declare certain areas described below as subject to Tri-Basin NRD Phase 3 groundwater quality rules and regulations.

IT IS HEREBY ORDERED:

1. The Tri-Basin Natural Resources District phase 3 groundwater quality management area will be expanded. A description of all lands included within the phase 3 groundwater quality management area is provided below.

Groundwater Quality Phase 3 Management Area Designation and Delineation

The legal descriptions for all lands included within the Phase 3 groundwater quality management area are listed below. The extent of the Phase 3 groundwater quality management area is delineated below by county, then by township and then by section (where necessary).

Gosper County

Township 7N, R21W (Harrison), Sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36.

Phelps County

Township 5N, R18W (Prairie), Sections 1-36 inclusive, Township 5N, R19W (Industry), Sections 23, 24, 25, 26, 35 and 36, Township 6N, R17W (Divide), Sections 1-36 inclusive, Township 6N, R18W (Sheridan), Sections 1-36 inclusive, Township 6N, R19W (Laird), Sections 1-36 inclusive, Township 6N, R20W (Union), Sections 1-36 inclusive, Township 7N, R17W (Anderson), Sections 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, Township 7N, R19W (Westmark), Sections 13-36 inclusive, Township 7N, R20W (Garfield), Sections 13-36 inclusive, Township 8N, R17W (Cottonwood), Sections 13-36 inclusive, Township 8N, R18W (Cottonwood), Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28.

Kearney County

Township 8N, R13W (Lowell), Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, Township 8N, R14W (Lowell-Newark), Sections 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, Township 8N, R15W (Newark), Sections 19-36 inclusive, Township 8N, R16W (Blaine), Sections 13-36 inclusive.

Pursuant to the majority vote of the Tri-Basin NRD Board of Directors on January 8, 2008, the expansion of the phase 3 groundwater quality management area shall become effective July 1, 2008. All rules and controls adopted by Tri-Basin NRD are available upon request by contacting the district office. Tri-Basin NRD is located at 1308 2nd St., Holdrege, Nebraska 68949. You can contact the Tri-Basin NRD office toll-free at (877) 995-6688 or tribasin@tribasinrd.org.

For the Tri-Basin Natural Resources District

Todd Garrelts, Chairman
Tuesday, January 8, 2008