

DATE: August 13, 2009

TO: Holdrege Daily Citizen

FROM: Carie B. Lynch  
Administrative Secretary

RE: LEGAL NOTICE - Please publish three consecutive times starting on:  
Friday, August 14, 2009  
Friday, August 21, 2009  
Friday, August 28, 2009

**ORDER**

BEFORE THE TRI-BASIN NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS

In the matter of adoption of the Joint Integrated Water Resources Management Plan (joint IMP) for the Platte River Basin agreed to between Tri-Basin Natural Resources District (Tri-Basin NRD or NRD) and the Nebraska Department of Natural Resources (NDNR). A public hearing was held by both agencies on July 14, 2009 at 1 PM at the offices of Tri-Basin NRD, 1723 N. Burlington St., Holdrege, Nebraska, pursuant to NE Revised Statute 46-718 (1). After the hearing, personnel from Tri-Basin NRD and NDNR reviewed comments received at that hearing and it was agreed that the agencies would adopt the version of the joint IMP that was presented at the public hearing without modification.

**THE BOARD FINDS THAT:**

1. It is necessary to protect integrated groundwater and surface water resources in the Overappropriated and fully appropriated portions of the Platte River Basin within Tri-Basin NRD from depletion by additional water uses.
2. Tri-Basin NRD has already adopted certain controls for integrated water resources management authorized by NE Revised Statutes 46-739. These are:
  - A. limiting the expansion of irrigated acres
  - B. requiring district approval of transfers of groundwater and rights to use groundwater
  - C. certification of irrigated land
3. In order to effectively protect integrated groundwater and surface water resources, it is necessary for Tri-Basin NRD to adopt certain additional controls. These controls will only be implemented if triggers described in the joint IMP are not met. Prior to implementation of any of the ground water controls listed in the IMP, the Tri-Basin NRD and the Department will agree to the method of implementation and the methods used to measure the success of the control(s) in reaching the goals and objectives of the joint IMP. These controls are:
  - A. Crop rotation
  - B. Reduction of irrigated acres
  - C. Allocation of groundwater resources
  - D. Utilize other groundwater controls specified in 46-739 NE RRS, which will achieve the goals and objectives of this IMP.
4. Tri-Basin NRD will also continue current incentive programs and adopt additional incentive programs. These programs include programs that provide incentives to landowners for retiring groundwater irrigated land, such as CREP and EQIP. A water banking program may also be developed that would include incentives for landowners to reduce irrigation of crops and to limit water use.

**IT IS CONCLUDED THAT:**

1. The NRD Board of Directors, in order to protect integrated groundwater and surface water resources and to

- effectively enforce the Nebraska Groundwater Management and Protection Act, have determined that it is necessary and useful to adopt and implement the joint IMP and the controls and incentives contained therein without modification.
2. The NRD Board of Directors will implement the controls and incentive programs described in the joint IMP within the Platte River Basin within the district. The geographic and stratigraphic extent of this integrated water resources management area are described in orders issued by the Tri-Basin NRD board of directors on July 13, 2004 and April 11, 2006. Copies of these prior orders, which specify the geographic and stratigraphic areas subject to integrated water resources management, are available at the Tri-Basin NRD offices at the address listed above.
  3. The Department will by separate Order, pursuant to *Neb. Rev. Stat.* § 46-718(2), adopt and implement the joint IMP and the surface water controls set forth in the joint IMP.

**IT IS HEREBY ORDERED:**

Pursuant to the majority vote of the Tri-Basin NRD Board of Directors on August 11, 2009, the joint IMP, including the controls and incentive programs described therein, is adopted by Tri-Basin NRD, effective September 14, 2009. This joint IMP and associated controls will be implemented in that portion of the district integrated water resources management area that lies within the Platte River Basin.

Copies of the joint IMP and orders establishing the integrated water resources management area are available upon request by contacting the district office. Tri-Basin NRD is located at 1723 N. Burlington St., Holdrege, Nebraska, 68949. You can contact the Tri-Basin NRD office toll-free at (877) 995-6688 or [tribasin@tribasinprd.org](mailto:tribasin@tribasinprd.org).

For the Tri-Basin Natural Resources District

Todd Garrelts, Chairman  
Tuesday, August 11, 2009