

ORDER

BEFORE THE TRI-BASIN NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS

In the matter of revising rules and regulations for the Districtwide Integrated Water Management Area (IWMA), the Quantity Groundwater Management Area (QGMA) and Groundwater Quality Management Area (GQMA) of the Tri-Basin Natural Resources District (Tri-Basin NRD, or NRD).

THE BOARD FINDS THAT:

It is necessary to revise the Tri-Basin NRD groundwater management rules and regulations to more effectively manage the quality and quantity of groundwater resources within the district. Following are board-adopted revisions to the Tri-Basin NRD Groundwater Management Rules and Regulations (new language is underlined). The full text of the NRD Rules and Regulations is available on the NRD website.

SECTION 1- DEFINITIONS

Revise rule (definition) 1.7 Beneficial Use of Groundwater shall mean utilizing water for domestic, agricultural or industrial purposes in amounts reasonable for said purposes.

SECTION 7- GROUNDWATER TRANSFERS

New rule 7.2.2 Transfers of surface water or surface water appropriations out of the district. Any person who desires to transfer surface water or surface water appropriations to use water from streams, canals, lakes, ponds, pits or ditches located within a fully appropriated or overappropriated basin within Tri-Basin Natural Resources District to locations outside of the District for Beneficial Use elsewhere, may do so only after applying for and obtaining approval from the Board and the Natural Resources District or other jurisdictional entity where the water will be beneficially used. Withdrawal of such water shall be consistent with all applicable state statutes and all rules and regulations of this District. Use of such transferred water must be consistent with all rules and regulations in the Natural Resources District or other jurisdictional entity where the water is used. Approval of said Natural Resources District or other jurisdictional entity must be obtained before Tri-Basin NRD will act upon a request to transfer water out of the District. If no rules, regulations or transfer Permit processes are established in the Natural Resources District or other jurisdictional entity where the water is to be used, then Beneficial Use of the transferred water must be determined by this District to be consistent with the rules and regulations of this District before such approval will be granted.

SECTION 8- QUANTITY GROUNDWATER MANAGEMENT AREA RULES AND REGULATIONS

New rule 8.3.1.3 Any person seeking Board approval of an application for a permit to drill a well for a new agricultural, commercial, industrial or environmental use must first agree to offset any depletion to streamflows or depletion to hydrologically-connected groundwater supplies that the District determines will result from use of the proposed well. The aforementioned depletions will be offset through retirement from irrigated crop production of a sufficient number of NRD-certified irrigated acres within the same river basin or portion thereof, as determined by the District.

New rule 8.3.1.3.1 The NRD board of directors may allow use of surface water to intentionally recharge groundwater supplies for the purpose of offsetting the depletive effects of Environmental Groundwater Use on streamflows and/or other hydrologically-connected groundwater supplies.

Portions of the rules were also-renumbered, language was stricken and spelling was corrected.

IT IS CONCLUDED THAT:

The Board of Directors, in order to effectively enforce the Nebraska Groundwater Management and Protection Act have determined that is necessary to revise the Tri-Basin Natural Resources District Rules and Regulations for Management and Protection of Land and Water Resources.

Copies of the revised rules and regulations are available during normal business hours at the Tri-Basin NRD Office, 1723 N. Burlington St., Holdrege, Nebraska. District residents can also read the complete text of the district rules on the Tri-Basin NRD web site, www.tribasinprd.org, or receive a copy by mail by calling the NRD toll-free number, (877) 995-6688.

IT IS HEREBY ORDERED:

1. The revised Tri-Basin Natural Resources District Rules and Regulations for Management and Protection of Land and Water Resources shall become effective on November 1, 2015.

Pursuant to the majority vote of the Tri-Basin NRD Board of Directors on September 8, 2015, the revised Tri-Basin Natural Resources District Rules and Regulations for Management and Protection of Land and Water Resources shall become effective November 1, 2015.

For the Tri-Basin Natural Resources District

David Olsen, Chairman
Tuesday, September 8, 2015