

TRI-BASIN NATURAL RESOURCES DISTRICT, HOLDREGE, NEBRASKA

ORDER ADOPTING THE JOINTLY DEVELOPED VOLUNTARY INTEGRATED MANAGEMENT PLAN AND ASSOCIATED GROUNDWATER CONTROLS FOR THE LITTLE BLUE RIVER BASIN WITHIN TRI-BASIN NATURAL RESOURCES DISTRICT

BACKGROUND

1. On August 19, 2015, the Tri-Basin Natural Resources District (District) submitted a letter of intent to the Nebraska Department of Natural Resources (Department) to develop a voluntary Integrated Management Plan (IMP) for the Little Blue River Basin portion of the District. On September 11, 2015, the Department submitted a letter to the District, agreeing with the intent to jointly develop a voluntary IMP with the District, for the Little Blue River Basin portion of the District.
2. The Department and the District consulted with a Stakeholder Advisory Committee (Committee) on development of the voluntary IMP. The Committee consisted of the statutorily required members and additional members who indicated interest in serving on the Committee. Through this process of consultation, the Department and the District jointly developed a voluntary IMP in accordance with the Ground Water Management and Protection Act (Act), particularly, *Neb. Rev. Stat. §§ 46-715, 46-716, 46-717, and 46-718*.
3. The Department and the District considered whether the voluntary IMP would affect the State's ability to comply with the Big Blue River Compact (Compact) with Kansas. The Department and the District concluded that the voluntary IMP, its goals, objectives, and groundwater and surface water controls are sufficient to ensure the State's compliance under the Compact as required under *Neb. Rev. Stat. § 46-715 (4)(b)*.
4. On February 6, 2020, the Department and the District reached agreement on the voluntary IMP, including: (a) the proposed goals and objectives, (b) the proposed geographic areas, and (c) the proposed surface water and groundwater controls. The voluntary IMP's geographic area encompasses the Little Blue River Basin portion of the District (Attachment A).
5. The Department consulted with the Nebraska Game and Parks Commission (Commission) in accordance with *Neb. Rev. Stat. § 37-807 (3)*. As stated in the Commission's response letter dated February 10, 2020, the Commission determined that the adoption of the proposed voluntary IMP would have no adverse effect on threatened and endangered species or their habitat.
6. On February 11, 2020, pursuant to notices published in accordance with *Neb. Rev. Stat. §§ 46-718 (1) and 46-743 (2)*, the Department and the District jointly held a public hearing in Holdrege, Nebraska on the proposed voluntary IMP. One member of the public appeared at the hearing and presented oral testimony.
7. Following the public hearing, the Department and District jointly considered the testimony received at the hearing and jointly agreed to adopt the voluntary IMP with no modifications as per *Neb. Rev. Stat. § 46-718 (2)*.

8. On March 10, 2020, the District's Board of Directors adopted the proposed voluntary IMP and associated groundwater controls.
9. On March 12, 2020, the Department sent a letter to the District agreeing to adopt the proposed voluntary IMP and associated surface water controls.
10. The Department met all publication requirements for this Order pursuant to *Neb. Rev. Stat. § 46-744*.

GROUNDWATER CONTROLS ADOPTED

The following three (3) groundwater regulatory actions are currently being implemented in the Little Blue Basin portion of the TBNRD under the authorities in *Neb. Rev. Stat. § 46-739*, and will now serve as the IMP controls, and will continue to be implemented in the future:

1. Moratorium on drilling new wells for new water uses,
2. Certification of irrigated land and other non de minimis consumptive water uses, and
3. Regulation of transfers of groundwater and of certified irrigated land.

The groundwater controls that have been adopted and implemented by TBNRD are those found in Tri-Basin Natural Resources District's "*Rules and Regulations for Management and Protection of Land and Water Resources*", which are available on the district website: www.tribasinprd.org.

It is therefore ORDERED that the voluntary IMP, jointly developed by the Tri-Basin Natural Resources District and the Nebraska Department of Natural Resources is hereby ADOPTED by the District and will become effective on **April 15, 2020**.

TRI-BASIN NATURAL RESOURCES DISTRICT

March 11, 2020

/s/ Bradley Lundeen

Bradley Lundeen, Chairman

This Order was sent to the Holdrege Daily Citizen and Minden Courier to be published

Tuesday, March 24th, 2020

Tuesday, March 31st, 2020

Tuesday, April 7th, 2020

Copies of this Order and the Voluntary Integrated Management Plan are available at Tri-Basin NRD, 1723 Burlington Street, Holdrege, NE 68949. Copies can be requested by email tribasin@tribasinprd.org, or by calling the district office at 877 995-6688.