

**Challenges Discussion/Activity (Agenda Item #3)**  
**June 21, 2016 RR BWP Stakeholder Meeting**

**Purpose of this Activity**

- As a whole group, process the feedback we received at the last meeting, categorized as “Basin Challenges”
- Dig deeper into the responses from last meeting related to the Challenges.
- Begin to identify which Challenges the group would like to focus on at subsequent meetings.
- Better understand each other’s’ viewpoints, including conflicts and agreements.

**Activity Description**

1) Document Review

- Take 10 minutes of quiet time to read over the "Challenges" that we summarized from the last meeting (brown table). As you read, circle or jot down notes about the quotes (comments) that you think are most significant, or add in your own.
- Based on your reading and notes, choose 3 of the most compelling comments that you most want to emphasize for the whole group to consider (could be a quote from the document, or a new quote that you come up with). If possible, have each of the three comments be about a different topic.

2) Wall Writing

- Take a marker and your notes, and write down your 3 most compelling comments onto the topic sheet that they relate to. The topics are:
  1. *Inequitable distribution of Compact compliance burden (uses, geography, political boundaries).*
  2. *Limited understanding of available water supply and use*
  3. *Regulatory measures have been inconsistent through time, and by water use*
  4. *Compact compliance and accounting—always a challenge*
  5. *Overconsumption of water in the Basin has been inadequately addressed.*
  6. *Lack of certainty for agricultural planning*
  7. *Someone else will fix our problem (east), if we don't fix it ourselves.*
  8. *Loss of economic returns on investments in irrigated agriculture*
  9. *Anything missing? Add it on this blank sheet.*

3) Gallery Walk

- For the next few minutes, walk around the room and read everything that other people have written. From all that you have read, choose ONE comment that *someone else wrote* (NOT one of your comments) that you agree with most, and one comment that you disagree with most.

4) Whole group discussion questions:

- From the “topics” (sheets in front of room), what are the most important challenges you would like to be worked on as a part of this plan?
- What are the “comments” that you agreed with the most? What are comments you disagree with the most?

**Activity summary--What Do We Do With the Results of This Activity?**

- Appreciate each other's viewpoints. Use these comments as a springboard for further informal discussion among ourselves both during and outside of meetings. Develop a beginning sense of which challenges might be a starting point for prioritization at our next meeting.

# “Challenges” Discussion/Activity for June 21 Stakeholder Meeting

General Topic	Summary	Quotes
<p><b>1. Inequitable distribution of Compact compliance burden (uses, geography, political boundaries)</b></p>	<p>Many stakeholders expressed that surface water users have suffered the most loss due to lowered stream flows and the burden of compliance, and there is a general lack of awareness from other users and decision makers about what they have given up for the good of the Basin.</p> <p>Cross-boundary (political, hydrologic regulatory boundaries) inequalities have a spectrum of negative consequences for water users (seed corn opportunities, regulation, land value).</p>	<p>"When there's excess water in the Platte and we need water here, why is the burden on wells and surface water here?"</p> <p>"Why is the burden of compliance here instead of on everyone in the state?"</p> <p>"From my perspective, the surface water people have been shut out of the conversation. . . . That's why there are lawsuits. There's no other way to be heard."</p> <p>"The surface water users have paid for those projects to use that water. The Projects were first for flood control, second for irrigation. But the irrigators paid for those."</p> <p>"I don't think people in this room understand what happened with N-CORPE to ensure compliance. I Does everyone understand what was given up? The water's there in the dam, but I can't get it."</p> <p>"The state of Nebraska needs a statewide plan for how to handle recharge to ensure the aquifer for years to come."</p> <p>"There are currently no allocations for areas in the Model area that aren't in the drainage basin. Many people feel this is not very fair when everyone else has allocations."</p> <p>"We need to have an understanding of why some acres were excluded."</p> <p>"Seed corn companies won't plant their seed in Lower Republican . . . . Right across the county line you can plant it."</p>
<p><b>2. Limited understanding of available water supply &amp; use</b></p>	<p>Several stakeholders feel that we need a better understanding of hydrologic lower and upper limits, which measure/unit is most appropriate within these limits, and where our current condition falls.</p> <p>Stakeholders felt there is not yet enough information available to provide a foundation for planning decisions.</p>	<p>"How much flow is needed at the head gates to sustain your system? Solutions have to be based on science rather than politics."</p> <p>"Surface water guys won't have anything if the focus is on depletions. It makes it look like we depleted it to nothing, and we didn't have anything to do with that."</p> <p>"What's a good metric for fairness and sustainability?"</p> <p>"We need to come to an agreement on how we measure depletions and what we cannot or will not accept."</p> <p>"The allocations given aren't scientifically based. Use the model to get the starting point--what are the inches per acre, with zero flows in the river, and Compact compliance?"</p> <p>"In Union precinct, they set a limit of 9 inches because they set IMP limits. Even in dry years, groundwater levels go up. That tells me we can probably use more than 9 inches."</p> <p>"We're trying to build a house without a foundation."</p> <p>"The way things were. What does that mean? My concern is that a lot of the data is beginning around 1940. Our farming practices have changed dramatically."</p> <p>"None of us know how short we are, so it's difficult to find solutions. What do we work toward?"</p> <p>"We still need to know where we are."</p> <p>"How much flow is needed at the head gates to sustain your system?"</p> <p>"Is it going to be based on the basin area, 10/50 area, or model area?"</p> <p>"We need to have an understanding of why some acres were excluded."</p>

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<p><b>3. Over-consumption in the Basin has not been adequately addressed</b></p>	<p>Many stakeholders feel there has been and continues to be overconsumption in the basin, but the exact amount is unclear. Any streamflow recovery will be slow, Concern over sustainability of N-Corpe</p>	<p>"We're using more water than we have."</p> <p>"The elephant in the room is depletions. The overappropriated feel of the basin."</p> <p>"The State owes the citizens of this basin an idea of how far past fully appropriated we already are."</p> <p>"Our water tables are going to decline until we pump less. It's that simple."</p> <p>"The elephant in the room is overconsumption. No one wants to think about that because we all want what we want, but your standards change if you don't have the water."</p> <p>"You can cut pumping, shut down end guns, conversion to dryland, crop rotations, and allocations; water tables and streamflow won't go back up for a long time."</p> <p>"For the Republican Basin, there's no way to treat the surface water users fairly, because there's no way to make the river flow again."</p> <p>"I'm not sure we can get to where everyone's happy because we can't get back to where we were."</p> <p>" The problem I see is getting adequate streamflow in the river."</p> <p>"We're always going to have a 0 [in water supply] at the beginning of any basin, and there's no way to get water out there."</p> <p>"What is plan 'B' when N-CORPE doesn't work anymore?"</p> <p>"Is the pumping [from N-CORPE] sustainable? How do we meet sustainability without reducing the groundwater table?"</p> <p>"That's my concern with the whole thing [N-CORPE]. If these plans or programs don't work down the line, what's the next plan for what's going to happen?"</p>
<p><b>4. Regulatory measures have been inconsistent through time, and by water use</b></p>	<p>Surface water and groundwater and regulated separately because the legislature was slow to recognize they are connected.</p> <p>The scope of what this plan can accomplish may be limited by the varied regulatory authorities of DNR, NRD, and other agencies.</p>	<p>"Another issue that probably needs to be brought forth is the first legislation in 1940 to identify that surface water and groundwater are hydrologically connected. It didn't pass, but it continued. Someplace in there, we need to recognize that there is a connection that needs to balance."</p> <p>"There's nothing that stacks groundwater and surface water rights together. They exist as they are now. There's no relationship between them. Now we're way past where that decision could have been made."</p> <p>"Anything we do, it has to be recognized that it takes the other step that the NRDs and the Department need to be able to do it through regulation."</p> <p>"We can't be too specific because of all the different NRDs, Irrigation Districts, etc., who are actually managing the water."</p>
<p><b>5. Compact compliance and accounting—always a challenge</b></p>	<p>Stakeholders want more clarity on Compact accounting and compliance.</p>	<p>"I am thankful that the state is going to continue to comply and has complied."</p> <p>"If we use off-site storage for recharge, what does that do for accounting? . . . If we hold 1000 acre-feet in a reservoir, does that count against Nebraska?"</p> <p>"Is groundwater pumping [from N-CORPE] captured by the dams or the Gulf of Mexico?"</p> <p>"If it were up to me, I'd give Kansas the money and keep the water."</p> <p>"Is the State complying? Or are the NDRs complying? It's a State compact, but we're paying for it personally through the NRDs. . . . It seems to me we should sue the state because we're keeping you in compliance."</p>

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<p><b>6. Someone else will fix our problem (east), if we don't fix it ourselves.</b></p>	<p>Major decisions for the Basin have come from Lincoln/Omaha area, and there is a general lack of awareness from these areas about our situation and what we are already doing.</p>	<p>"There's a growing concern in the east that the NRD system is the fox watching the chicken house."</p> <p>"A lot of the problem in the Republican is perception. We weren't getting anything done, and yet no one was asking us what we're doing. The Kansas lawsuit drug on, and we couldn't do anything while that was going on. I always felt this plan was a lack of understanding from the east about what we were doing."</p> <p>"We are guinea pigs. Lincoln is watching us."</p> <p>"We've gotten more efficient and reduced our pumping. So we're not just paying \$10 an acre toward solving problems [what folks in the east say]. I've paid thousands for new, more efficient irrigation systems, end gun practices, etc."</p> <p>"The state looks at us as trouble, but we're one of the only places with meters, the only ones with certain other measures."</p>
<p><b>7. Lack of certainty for agricultural planning</b></p>	<p>The lack of a reliable water supply makes it difficult to plan and may lead to mistrust issues.</p>	<p>"A lot of the issues have to deal with lack of trust. Uncertainty in the basin has led to lack of trust. Developing certainty in the basin will go a long way to developing trust."</p> <p>"In 2007 it happened and [surface water users] got compensated. In 2013 and 2014, [compensation] didn't happen. Surface water users never know whether we are going to get water or not. We have no way to plan. Groundwater guys have certainty. How do you plan if you don't have certainty?"</p> <p>"There's a lot of things to consider besides amounts of water. Reliability is one."</p>
<p><b>8. Loss of economic returns on investments in irrigated agriculture</b></p>	<p>Many economic impacts due to water issues, getting funding for projects is difficult.</p>	<p>"We need to support schools, roads, etc."</p> <p>"We're growing crops that aren't economically viable in order to stay within compliance and allocations."</p> <p>"We've gotten more efficient and reduced our pumping. So we're not just paying \$10 an acre toward solving problems [what folks in the east say]. I've paid thousands for new, more efficient irrigation systems, end gun practices, etc."</p> <p>"The surface water users have paid for those projects to use that water. The Projects were first for flood control, second for irrigation. But the irrigators paid for those."</p> <p>"Seed corn companies won't plant their seed in Lower Republican . . . Right across the county line you can plant it."</p> <p>"Getting funding is always an issue. In the 108 process, NRDs had to fund the study because the law was enacted without funding. I believe the state has fallen behind in what we can do."</p>