

**Nebraska's Report to the  
Republican River Compact Administration  
September 12, 2013**

Once again, I am happy to report that the State of Nebraska is in compliance with the Republican River Compact. Using current accounting procedures, Nebraska has had positive balances since 2007, which has led to compliance with the five-year average. Based on preliminary estimates, Nebraska will again be in compliance for the two-year and five-year period ending in 2013.

As I reported last year, 2012 saw drought conditions once again creep into the basin. In fact, 2012 was the warmest and driest year in 118 years of record keeping for the State of Nebraska. However, Nebraska's compliance efforts through 2013 have been substantial, affording Kansas' water user's access to Kansas' allocations. This has occurred as prescribed through implementation of the third generation integrated management plans which contain forecasting provisions and accompanying controls that have ensured that Nebraska would take sufficient actions for Compact compliance in 2013.

These forecasting procedures have proven to be a significant advancement over what was available to Nebraska during the previous drought. While no actions were triggered for 2012, Nebraska nevertheless achieved a positive balance in the absence of additional actions. For 2013, the conservative dry-year projections proactively identified the potential for non-compliance, thereby providing the necessary information to proactively reduce and offset consumption to levels necessary to ensure Compact compliance.

The basin NRDs continue to demonstrate an on-going commitment to compliance through their significant investment in programs and projects that will reduce and/or offset depletions throughout the basin. These include the augmentation project in the Rock Creek subbasin, which provided water for compliance in 2013, and the augmentation project in Medicine Creek, which is planned to be operational in 2014 to assist Nebraska with compliance going forward. Other programs have included the permanent and temporary retirement of surface and groundwater irrigated lands throughout the basin.

Nebraska also continues to invest in the science necessary to support future sound management decisions. The Department is continuing to develop modeling tools that support the evaluation of potential conjunctive management options throughout the basin. The Department looks forward to working to assess various water management alternatives through the WaterSMART Basin Studies program and utilize the tools that have been developed as part of this study to evaluate system improvements and operational improvements that can be made throughout the basin.

Nebraska has brought several time critical issues before the RRCA to be addressed over the last year. Although Nebraska and Colorado have agreed on these issues, they remain unresolved by the RRCA. The fundamental problem is that Kansas has repeatedly identified various legal and technical requirements for which Nebraska and Colorado find

no foundation. Therefore, Nebraska seeks from Kansas a clear and transparent process, the parameters of which are rooted in the four corners of the Compact and FSS, that can be utilized in working to resolve issues related to implementation of key components provided within the FSS. Short of such a clearly defined process, Kansas has forced Nebraska and Colorado to rely on the dispute resolution process laid out in the FSS as it appears the only means to seek resolution of issues.

In closing, I reiterate that Nebraska will continue to comply with the Republican River Compact. The State will continue to proactively evaluate the conditions within the basin and make the necessary adjustments to remain in compliance. We will continue to work with all stakeholders in the basin, including the other states, the NRDs, the Bureau of Reclamation, and water users as we look to enhance our management efforts into the future.

## **REPORT OF WATER ADMINISTRATION ACTIVITIES FOR THE REPUBLICAN RIVER BASIN IN NEBRASKA FOR THE CALENDAR YEAR 2012**

January 17, 2012

Letters were sent to irrigators reminding them that the 2011 Water Use Reports must be filed with the Cambridge Field Office or they will be closed to irrigation in 2012.

January 25, 2012

Sixteen (16) opening notices were issued to storage permits that had previously been closed.

February 6, 2012

Eighteen (18) closing notices were issued to water users that failed to submit their required annual Water Use Reports. These water users were not allowed to divert water during the 2011 calendar year.

July 24, 2012

Thirteen (13) closing notices were issued to water users and storage permit holders between A-3629 and Arapahoe NE, notifying them that they shall not divert water until further notice.

July 24, 2012

One (1) regulating notice was sent to an irrigator in the Republican River Basin notifying them of the legal amount they could pump.

August 31, 2012

Thirteen (13) closing notices were sent to storage permit holders in the Republican Basin.

October 24, 2012

Thirteen (13) opening notices were issued to permits that had previously been closed.

December 11 & 12, 2012

Water Use Reports were mailed to all IR (irrigation from a natural stream), SI (irrigation from reservoirs on lands also covered by a natural flow appropriation), and SO (irrigation from reservoirs on lands not covered by a natural flow appropriation) permits in the Republican Basin with the exception of federally owned canals .