

Meeting to discuss Niobrara River issues
Nebraska Department of Natural Resources (NDNR)
Wyoming State Engineer's Office (WSEO)
Wednesday, April 27, 2011
Conference Call
10:00 A.M. Central Time

1. Introductions and agenda review

A list of those participating in the conference call follows this summary.
There were no additions to the agenda.

2. Updates

Wyoming

John Harju prepared a spreadsheet listing the ground water rights granted in the basin from January 1, 2010 to April 27, 2010 (attached). The last entry, T.F. No. 42-9-296, is in the application phase and is a request for enlargement of an existing well. The appropriator is requesting 900 additional gallons per minute to irrigate 550 acres. This application for additional volume would violate the WSEO's policy on well spacing. The WSEO requires one mile spacing between high capacity wells.

Randy Tullis mentioned the field inspections Brian Pugsley and he had completed last summer that were described at the principals meeting.

Nebraska

Brandi Flyr stated the IMP for the White River Basin is still on-going.

3. Niobrara Basin WaterSMART Grant - NDNR

Currently, work is proceeding on the ground water and surface water operations model. NDNR is also working on getting a MOA and plan of study signed with the Bureau of Reclamation (BOR). No money will be exchanged through this agreement. Instead the BOR and NDNR will each have responsibilities under the grant. NDNR will be responsible for the ground water and surface water model and the BOR will be responsible for the economic analysis and future climate scenarios models. The study is a 2 year obligation by BOR and the 2 year period starts when the MOA gets signed. In addition, once the MOA is signed, stakeholder meetings on the grant will take place. NDNR will send WSEO an email concerning when and where these meetings will be held.

4. Other topics

Some on-going discovery is occurring with the Compact associated litigation in Nebraska. A couple of the parties may have dropped out. The judge assigned

to this case is retiring so a different judge will need to be assigned to hear the case.

Jim Schneider reported Box Butte Reservoir is about 2/3 full. This is much higher than it has been in past years.

John Harju reported on the Niobrara shale development occurring in the southeastern part of Wyoming. Some feel the play might not be as great in Wyoming as it has been in Colorado. Wells still continue to be drilled in Wyoming, so it is still a waiting game to see how the play will develop.

5. Topics for Fall Principals meeting

WaterSMART update

Niobrara Shale development

6. Next meeting

It was suggested to set the principals meeting for the afternoon before the NPDC meets in Torrington. The next meeting of the principals will therefore occur on Oct. 19th at 1:30 p.m. Randy Tullis suggested meeting at the Division I office in the conference room.

Conference Call Participants

NAME

Jim Schneider

Brandi Flyr

Jesse Bradley

Randy Tullis

Sue Lowry

John Harju

Jodee Pring

REPRESENTING

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