

**ANNUAL REPORT OF WATER USE ACTIVITIES
IN THE TWIN PLATTE NATURAL RESOURCES DISTRICT
TO MEET THE REQUIREMENTS OF THE INTEGRATED MANAGEMENT PLAN
FOR THE 2010 BASIN-WIDE MEETING**

I. SUMMARY

- A. The purpose of this document is to report on activities within the Twin Platte Natural Resources District (TPNRD). It was created for the 2010 basin-wide meeting.

II. INTRODUCTION

- A. This report is intended to satisfy the Twin Platte Natural Resources District tracking and reporting requirements as described by the Monitoring and Studies section of the Twin Platte Natural Resources District integrated management plan (IMP). The IMP requires that the TPNRD track and report on the following items on an annual basis: (1); (2); (3); (4).

The items tracked and reported will subsequently be used by the Platte Basin NRDs and the Department to measure the success of the controls, incentive measures and other action items contained in the IMPs at meeting the goals and objectives of the IMPs. Two evaluation processes for measuring success are described in the IMPs. The first is an annual evaluation that will forecast the balance of depletions and accretions from the report year through 2048. The second evaluation occurs periodically and will be more robust, including updating and running groundwater models. These evaluation processes will be carried out by the Platte Basin NRDs and the Department after the annual basin-wide meeting. The tracking, reporting, and evaluation processes are described in more detail in the Monitoring and Studies section of the IMPs. In addition to the evaluation processes, the information that is tracked and reported will also be used by the State to help meet requirements of the Platte River Recovery Implementation Program (Program).

This document is intended to report on the TPNRD's activities in the period between January 2006 and December 2009. Each year thereafter, an annual report will be developed for every calendar year.

III. DEFINITIONS

- A. Certified Irrigated Acres – Based on TPNRD Rules and Regulations, certification of irrigated acres are based on the following criteria between 2001-2005: any ground water user, landowner, or operator who owns or controls a registered irrigation well must provide documentation proving an irrigated crop history if the acres involved were not irrigated within the last five (5) years but were irrigated at least one time within the last fifteen (15) consecutive years, and the nonuse in the last five (5) years was a result of one or more of the following: (a) federal, state, or local laws, rules or regulations temporarily prevented or restricted such use; (b) use of water was unnecessary because of climatic conditions; (c) circumstances were such that a prudent person, following the principles of good husbandry, would not have been expected to use

the water; (d) the owner of the land was in active involuntary service in the armed forces of the United States or was in active voluntary service during a time of crisis; (e) legal proceedings prevented or restricted use of the water; (f) the land has been under an acreage reserve program or production quota, or was otherwise withdrawn from use as required for participation in any federal or state program, and there have been not more than five consecutive years of nonuse on that land since that land was last under that program. If the above requirements were met then acres were certified and classified as such.

- B. Offset - shall mean any water that is provided to compensate for ground water that has been either withdrawn or consumptively used for any new or expanded use since July 16, 2004.
- C. Permit – shall mean an approval document that must be applied for and obtained from the District for a transfer permit, large user permit, or water well construction permit.
- D. Transfer – shall mean any arrangement approved by the Department and/or the District, as required by rule or law, through the granting of a permit for the physical transfer of ground water off the overlying land, the change in type of use of a well, the addition of a type of use to a ground water well, or the transfer of certified acres.
- E. Variance – shall mean approval to act in a manner otherwise contrary to existing TPNRD Rules and Regulations from a governing body whose Rules or Regulations are otherwise applicable.
- F. Water Bank – shall mean a procedure for tracking additions and/or reductions in ground water consumptive use within the TPNRD.

IV. CERTIFIED ACRES

- A. The TPNRD began certifying ground water irrigated acres in December 2005. The initial certification process will end with the scheduled effective date of the amendments to the Rules and Regulations on October 8, 2010. A map showing the location and number of certified irrigated acres can be found in Appendix E. A breakout of certified irrigated acres per county through December 2009 is as follows: Arthur County - 12,440.79; Keith County - 114,833.5; Lincoln County - 181,007.01; and McPherson County - 9,416.57.

V. APPROVED TRANSFERS

- A. From January 2006 through December 2009, the TPNRD approved 48 transfers. The total number of acres involved in these transfers considered to be new or moved to a new location is 2,059.20 acres. The total number of acres involved in these transfers considered for offset or de-certified acres is 2,153.85 acres. Each transfer resulted in no net increase in stream depletions. Detailed data regarding the location, timing, amount, and conditions associated with each transfer can be found in Appendix B.

VI. WELL CONSTRUCTION PERMITS

A. Supplemental Ground Water Wells

1. The TPNRD has issued supplemental ground water well permits (coded SG). These are ground water wells that supplement existing ground water wells. There are no increased acres associated with these wells. For example, a well may irrigate two pivots; that producer could apply for a variance for another ground water well (supplemental well). From January 2006 through December 2009, the TPNRD issued 15 supplemental ground water well permits, all of which were already certified using ground water.

B. Supplemental Surface Water Wells

1. The TPNRD has issued supplemental surface water well permits (coded SS). These are ground water wells that can be used only when their surface water needs are not being met. There is a legally binding contract between the producer and the NRD. These wells are only to be used when the surface water rights have been exhausted. If a producer is found abusing this contract, the ground water well will immediately be in violation, and a cease and desist order will be executed for that well. From January 2006 through December 2009, the TPNRD issued three supplemental surface water well permits.

C. Replacement Wells

1. The TPNRD has issued replacement well permits (coded RP). These are replacement wells for wells that have already been registered, and have gone bad or are no longer producing as originally intended. The TPNRD issued 16 replacement well permits in 2006, 12 in 2007, 17 in 2008, and 17 in 2009, for a total of 62 replacement wells. For details of these permits, refer to Appendix C.

D. Temporary Wells

1. The TPNRD has issued temporary well permits (coded TP). These are wells that are intended to serve for a limited time. For example, the TPNRD allowed a temporary well to be used when a road project was underway north of Ogallala so there would be water to help pack the surface of the ground. From January 2006 through December 2009, the TPNRD issued one temporary water well permit.

E. De-Watering Wells

1. The TPNRD has issued de-watering well permits (coded DW). These are wells that are intended to serve for less than 90 days. For example, the TPNRD allowed de-watering wells to be used in conjunction with lowering a lake level in order for work to be done on the bottom of the lake. From January 2006 through December 2009, the TPNRD issued nine de-watering water well permits.

VII. OTHER PERMITS

A. At this time there are no other permits to be reported.

VIII. VARIANCES

- A. Variances can be pursued for a variety of reasons. The TPNRD Board of Directors reviews variances each month on a case-by-case basis and hears on average four to six different variances/transfers per month. For details of these permits, refer to Appendix D.

IX. MUNICIPAL AND INDUSTRIAL ACCOUNTING

A. Contact

1. An initial meeting with municipal and industrial interests in the TPNRD was held on April 23, 2008, at the offices of the TPNRD. Parties with municipal and industrial interests were contacted and informed on what was expected of them. At that time, software was being developed to lessen errors and to electronically file all of their information. That software did not work and no data has been obtained. During summer 2010, the TPNRD has made contact again and intends to physically go out and work with the municipalities and industries to obtain the raw data that will be used to develop a baseline use.

2. Letters have been sent out and will be followed by phone calls to the individuals who attended the meeting in spring 2008.

B. Reporting Data

1. The information received from contact during the summer 2010 will be entered into a database to help determine the baseline and any deviation from that baseline on an annual basis.

X. FLOW METER DATA

- A. Flow meters are not required in the TPNRD at this time.

XI. OTHER WATER BANKING ACTIVITIES

- A. The TPNRD is working with a company in Omaha to develop water banking software. This project is slated to be completed in summer 2010.

XII. RETIRED ACRES AND OTHER STREAMFLOW ACCRETION ACTIVITIES

- A. A re-timing project on the Western Irrigation District is currently being studied.
- B. Additional other projects are being considered. The main priority is efficient use of time and money to get water flows back into the river.

XIII. GROUND WATER LEVELS

- A. Tracking and reporting of ground water levels is not required in the Integrated Management Plan (Chapters 7.I.A.1 (a) and 7.I.A.2).