



SOUTH PLATTE NATURAL RESOURCES DISTRICT

551 Parkland Drive, PO Box 294 Sidney, Nebraska 69162
(308) 254-2377 FAX (308) 254-2783 www.spnrd.org

January 31, 2007

Tracy Zayac, Natural Resources Program Specialist
Nebraska Department of Natural Resources
P.O. Box 94676
Lincoln, Nebraska 68509-4676

Re: NRD Consultation for (Bruce Nienhueser) Applications TA-38 and I-15

Dear Tracy:

Enclosed is the completed consultation form, dated December 15, 2006, for permit applications to transfer ground water to an adjoining state (TA-38) and for an industrial ground water transfers permit (I-15), filed by Bruce Neinhueser. The South Platte NRD Board of Directors at its January 9, 2007 meeting revisited Mr. Nienhueser's permit applications including an e-mail, dated January 9, 2007, you sent me concerning a potential alternative offset for Mr. Nienhueser not to irrigate 32.5 acres. The board also received a fax from Mr. Nienhueser noting that he would agree to this change to his applications process.

The board took action on Mr. Nienhueser's permit applications in the following manner:

1. The District will not require a permit from Mr. Nienhueser. His transfer request is within the exceptions of the District's Districtwide Ground Water Management Area Rules and Regulations. The ground water will be transferred via discharge pipe from irrigation well (#G-094357A) south to a holding pond that is located on Mr. Nienhueser's property and adjacent to his property across the state line in Colorado.
2. The board approved Mr. Nienhueser's applications for a permit to transfer ground water to an adjoining state (TA-38) and for an industrial ground water transfer permits (I-15), provided he does not irrigate 32.5 acres under his pivot system located in the SW $\frac{1}{4}$ of Section 15-T12N-R49W and the SW $\frac{1}{4}$ of Section 22-T12N-R49W for the 2007 irrigation season.
3. A flow meter shall be installed on the discharge pipe that will transfer the ground water from the irrigation well (Registration #G-094357A) to the holding pond storing the water. A flow meter has been installed on the pivot system and will measure water pumped from both irrigation wells #G-094357A and #G-094357B. The flow meter for irrigation well (Registration #G-094357A) will need to be installed before any ground water is transferred from the well.
4. Mr. Nienhueser is required to modify his irrigation well registration (#G-094357A) to include a secondary commercial/industrial entry on the well's registration form.

RECEIVED

FEB 05 2007

1170

5. The District will monitor the proposed ground water transfer and offset under the above permit applications. The District will work with Mr. Nienhueser to identify the 32.5 acres that will not be irrigated during the 2007 irrigation season within his pivot system located in SW¼ of Section 15-T12N-R49W and the SW¼ of Section 22-T12N-R49W. This method will be accomplished by taking GPS data points to determine the acreage for the offset. We will perform periodic inspections throughout the growing season to determine compliance with the permit applications. The District at reasonable times will read the meters. Mr. Nienhueser will be required to maintain the meters in good working order.

Please call me if you have questions, comments and/or concerns.

Cordially,

A handwritten signature in black ink, appearing to read "Rod L. Horn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rod L. Horn, General Manager
South Platte Natural Resources District

RLH/s

pc: Keith Rexroth, SPNRD Chair
Paul Hutchison, SPNRD Director
Ryan Reisdorff, Water Resources Coordinator
Bruce Nienhueser

Enclosures



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES
Ann Bleed
Acting Director

December 15, 2006

IN REPLY TO:

TO: Rod Horn, Manager
South Platte Natural Resources District

FROM: Tracy Zayac, Natural Resources Program Specialist

SUBJECT: NRD consultation for applications TA-38 and I-15

Please review the attached application and complete the following based on your review.

- 1. Does this application conform to the District's rules? Yes No
If no, please describe, and state whether the applicant can come into compliance with District rules. If the applicant can come into compliance, then please describe the actions that need to be taken to bring the applicant into compliance with District rules.

Refer to letter addressed to Tracy Zayac, NDNR, from
Rod L. Horn, dated January 31, 2007

- 2. Does the District have any concerns regarding the proposed project? Yes No

If yes, please explain: _____

Refer to letter addressed to Tracy Zayac, NDNR, from
Rod L. Horn, dated January 31, 2007

Rod L. Horn
Name and Title

General Manager

January 31, 2007
Date

We appreciate your assistance in this matter. If you have questions or need additional information to complete your review, please contact Tracy Zayac at (402) 471-0584.

Please return this completed and signed form **AND** the additional information requested in the attached letter to Department of Natural Resources, P.O. Box 94676, Lincoln, NE 68509-4676

RECEIVED

FEB 05 2007