

Overview of New Rules for Determining Fully Appropriated Basins

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Outline

- Why the rules change?
- Timeline for Development of the New Rules
- Concepts Behind the New Rules
 - (Preliminary Determination/Final Determination)
- What Do the New Rules Mean to the Overappropriated Basin and Republican Basin
- Timeline for Moving Forward

Why the Rules Change?

- Necessity to Determine the Difference between Fully and Overappropriated (Upper Platte River Basin)
- Legal Challenge and Supreme Court Ruling
- Seamless Transition to Water Planning (Proactive Understanding)

Timeline

- Platte Basin NRDs and Department initiate methodology study (2009)
- Release of Literature Review and Initial Recommendations (Spring 2010)
- Stakeholder Meeting (May 2011)
- Initial Technical Report (Fall 2011)
- Final Stakeholder Meetings (Fall 2012)
- Release of Final Report (April 2013)

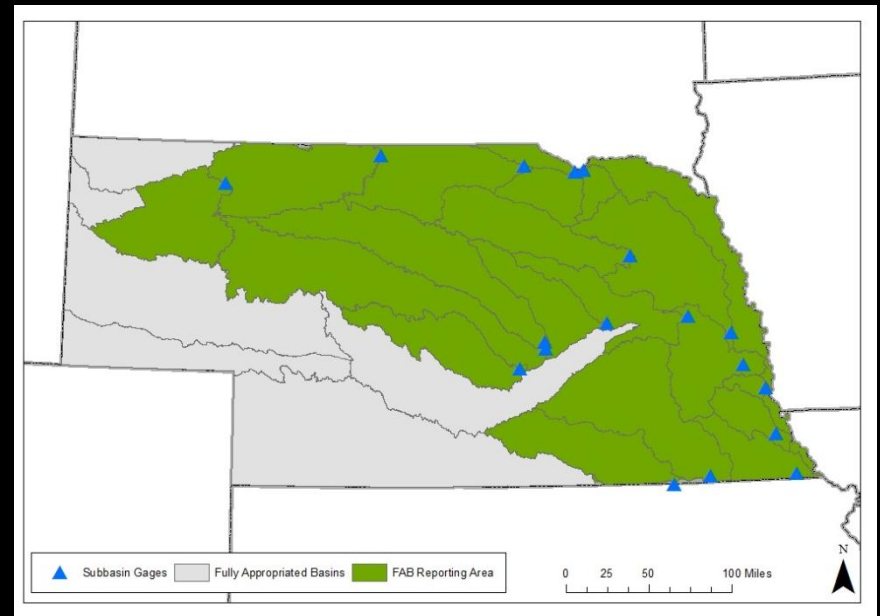
Rules Concepts

■ Basin Water Supplies

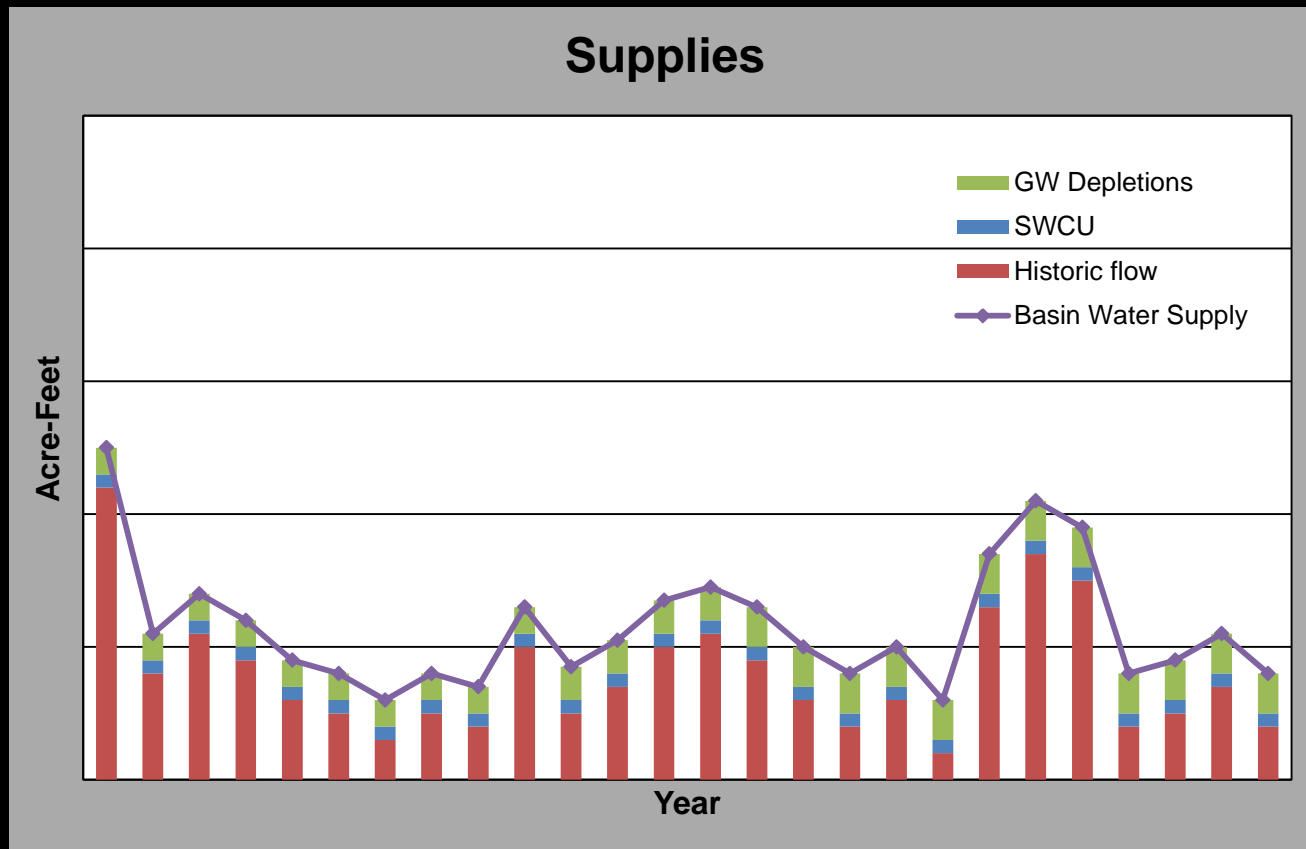
- Streamflow (recharge/runoff)
- Groundwater Depletions
- Surface Water Consumption

■ Total Water Uses

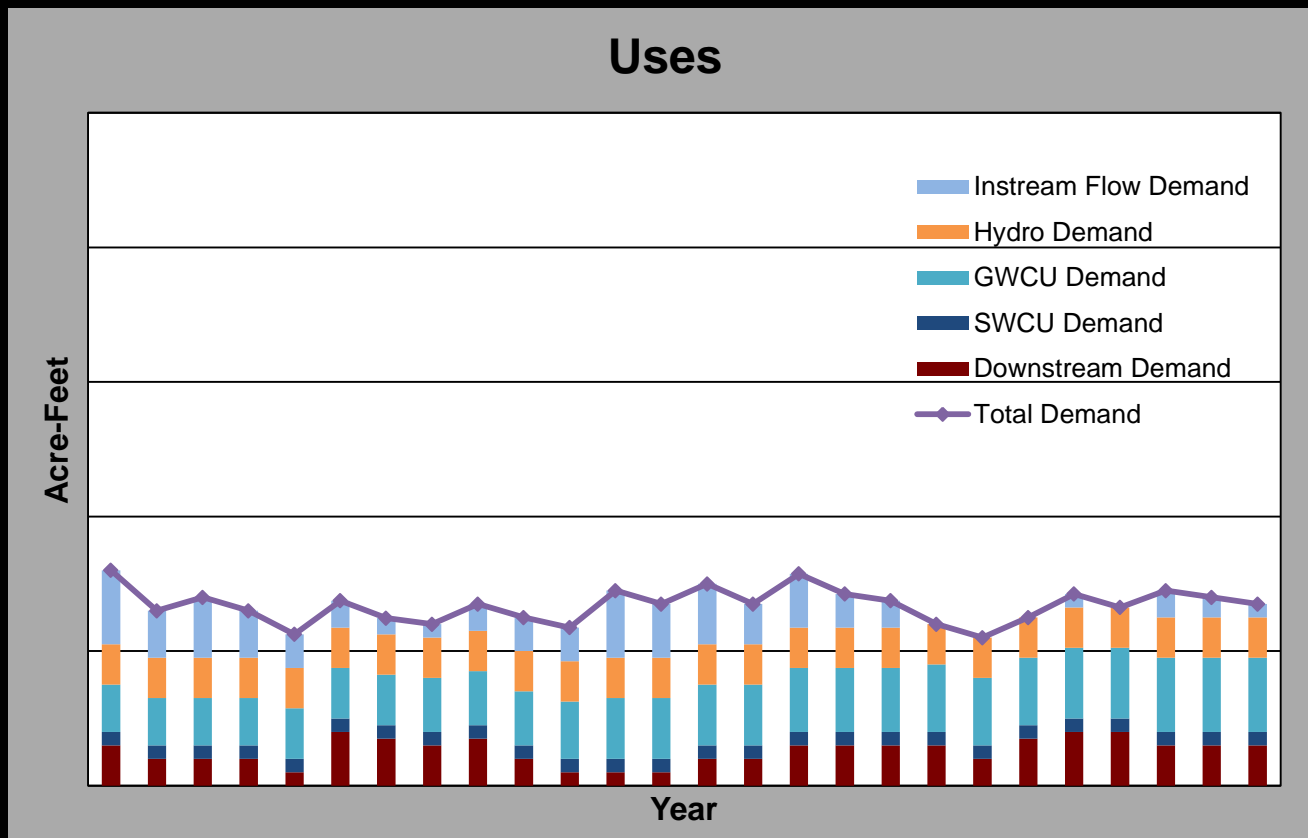
- Groundwater Consumption
- Surface Water Consumption
- Instream Flow Demands
- Hydropower Demands
- Downstream Water Demands



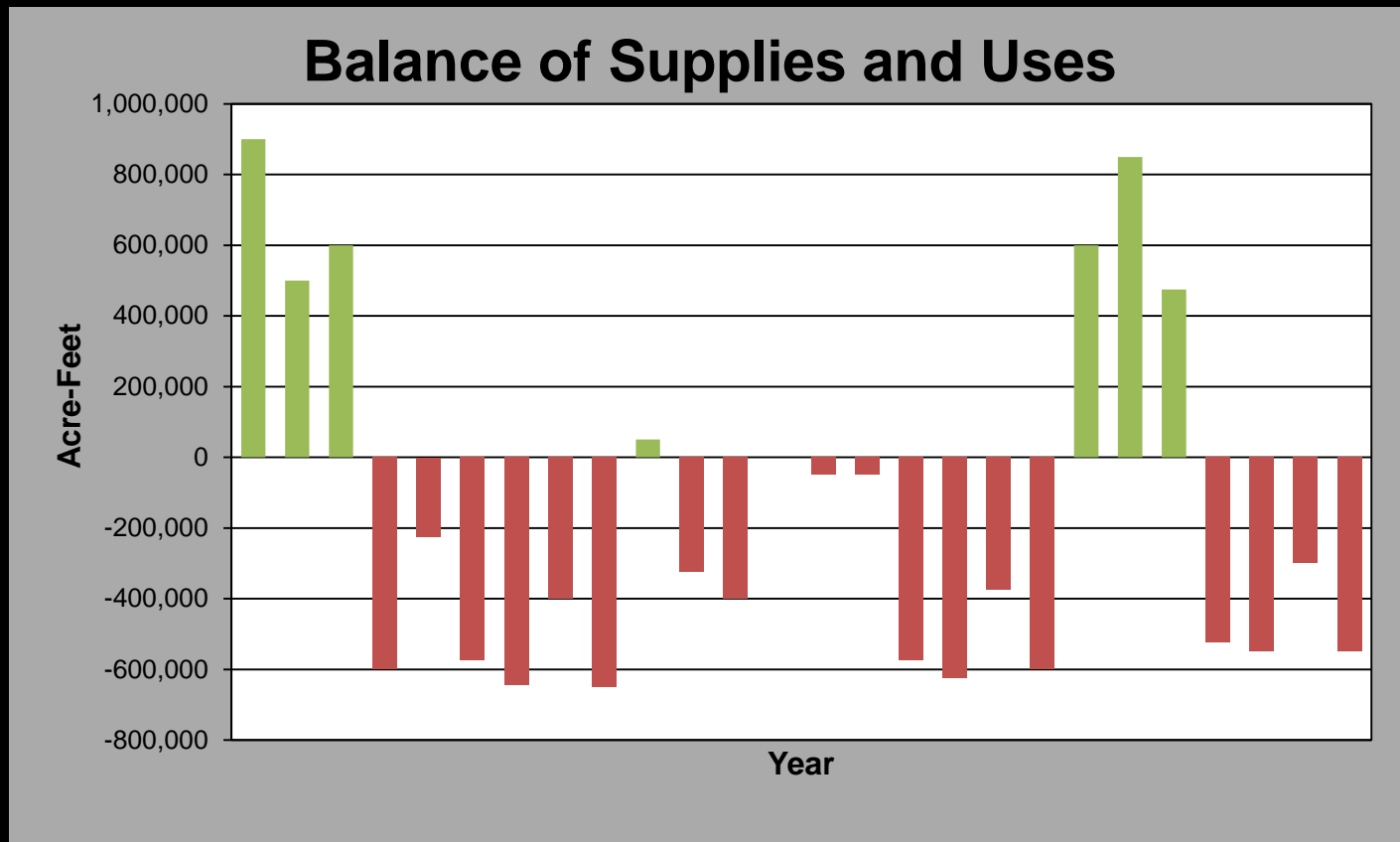
Rules Concepts



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Rules Concepts

- Department conducts preliminary determination (Rule 001.01 A-D)
- Hearings held on determination to assess if new relevant information has been identified
- Reviews if planning processes meet requirements (Rule 001.02 B-C)
- Final determination then made (Rule 001.02 A)

Overappropriated Basin and Republican Basin

- Rules will be used by DNR and NRDs to complete OA/FA assessment (2014-2015)
- Results of this assessment will be made available to the basin stakeholders
- DNR and NRDs will set second increment goals and objectives
- Rules will not impact Republican Basin

Timeline for Moving Forward

- Draft Rules and Methods Released (April 2013)
- Public Q&A sessions on Draft Rules (May 2013)
- Department Review of Public Comments and Modifications to the Draft Rules (June 2013)
- Public Hearings (Summer 2013)
- Annual Evaluation (December 2013)

<http://dnr.ne.gov/website/MainPage.aspx>

Thank you

Questions?