2020 Upper Platte River Basin-Wide IMP Report DRAFT

Covering 2019 Activities

Annual Report of the Department of Natural Resources

To Meet the Requirements of the North Platte, South Platte, Twin Platte, Central Platte, and Tri-Basin Natural Resources Districts' Upper Platte River Basin Integrated Management Plans for the 2020 Upper Platte River Basin-Wide Meeting

Eleventh and final report for the first 10-year increment of the IMPs and Upper Platte River Basin-Wide Plan, adopted in September of 2009

Nebraska Department of Natural Resources DRAFT May 22, 2020

TO MEET THE REQUIREMENTS OF THE NORTH PLATTE, SOUTH PLATTE, TWIN PLATTE, CENTRAL PLATTE, AND TRI-BASIN NATURAL RESOURCES DISTRICTS' PLATTE BASIN INTEGRATED MANAGEMENT PLANS ON 2019 ACTIVITIES FOR THE 2020 UPPER PLATTE RIVER BASIN-WIDE MEETING

I. INTRODUCTION

This report, presented at the annual basin-wide meeting on July 15, 2020, is intended to satisfy the tracking, reporting, and evaluation requirements of the Nebraska Department of Natural Resources (Department) as described in the Monitoring and Studies section of the North Platte, South Platte, Central Platte, Twin Platte, and Tri-Basin Natural Resources Districts' (Upper Platte Basin NRDs) integrated management plans (IMPs). The tracking, reporting, and evaluation processes are described in more detail in the Monitoring and Studies section of the IMPs. This is the eleventh report to be filed following adoption of the IMPs in September 2009 and contains information on activities from January 1, 2019, to December 31, 2019. This is the final annual report for the first increment IMPs.

Each of the five Upper Platte Basin IMPs require that the Department annually track and report on the following items: 1) any surface water permits issued; 2) any dam safety permits issued; 3) any groundwater permits issued; and 4) the associated offsets/mitigations for any new permits issued. These items are included in this report. The IMPs also discuss the inclusion of information on the location, amount, and timing of the depletions caused by each permitted new or expanded water use as well as the same information for the associated offset/mitigation. To facilitate the exchange of information between the Department and the NRDs, the Department reports on the cancellation of surface water permits each year.

In addition to reporting on annual permitting activities, the Department is also required to report the following items every five years: 1) National Agricultural Statistics Service (NASS) livestock data; 2) U.S. Census Bureau population data; 3) inventory of sandpits; 4) inventory of reservoirs of less than 15 acre-feet (af); 5) any retirements of irrigated acres or other activities in the NRDs by the Department for the purpose of returning to a fully appropriated condition; and 6) offsets/mitigations for depletions resulting from increased consumptive use related to the items listed. These items, as well as the items reported annually, were analyzed as part of the 2019 Robust Review, which was completed as part of the IMP requirements. The Robust Review analysis is described in more detail in the IMPs. The full 2019 Robust Review report is available on the Department's website.

The items tracked and reported here will be used by the Upper Platte Basin NRDs and the Department to measure the success of the controls, incentive measures, and other action items in meeting the goals and objectives of the IMPs. Two evaluation processes for measuring success are described in the IMPs. The first is a yearly evaluation of the data contained in the annual report that will include a

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forecast of the balance of depletions and accretions for permitted new activities using analytical methods. The second evaluation process involves updating and running groundwater models with any of the relevant data from the annual exchange in to the Robust Review, along with the data that is to be collected and considered every five years. In addition to these 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 (PRRIP).

II. ACTIVITIES TO BE REPORTED ANNUALLY (JANUARY 1, 2019, THROUGH DECEMBER 31, 2019)

A. Summary

Items reported annually include permits that are issued by the Department. When a surface water or groundwater permit is reviewed, the Department assesses the potential for the permitted action to increase, decrease, or have no effect on water use. Depending on the circumstances, the applicant may be required to take action that would offset/mitigate the effect of any increase in water use. Described in each section below are the permits issued by the Department and the associated review of potential changes in the water use. The Department issued twenty-two new surface water permits, one dam safety permit, and received two industrial transfer notices for groundwater in calendar year 2019. Copies of the applications and orders for each permit are available in Appendix 1. More detailed information on each permit is available from the Department upon request.

B. Surface Water Applications Approved - Table 1, Pages 7, 8, & 9

In calendar year 2019, 22 new surface water applications were approved. Of the 22 new permits, 19 are temporary permits for groundwater recharge. These permits only allow the diversion of streamflows in excess of already permitted uses and target flows when they are available during non-irrigation periods in the spring and fall, and are intended to supply baseflow accretions back to the river. Two of the remaining three new permits are temporary permits for public-use road construction and will not exceed ten acre-feet in total volume, which in accordance with *Neb. Rev. Stat.* § 46-233(8), is therefore in the public interest, and exempt from the determination of unappropriated water. The other new permit is a temporary permit for construction of oil wells, which would not exceed ten acre-feet in total volume, which in accordance with *Neb. Rev. Stat.* § 46-233(8), is therefore in

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the public interest, and exempt from the determination of unappropriated water. All temporary permits expire one year from the issued date. The conditions under which each permit can operate are specified in detail in the order for each permit (see Appendix 1).

C. Dam Safety Application Approved – Table 2, Page 10

One new dam safety application was approved in calendar year 2018. The plan, P-20454, prepared by NRCS in 2019, shows the alterations that are planned for the North Sidney Wildlife Dam. The dam was originally designed by NRCS and constructed in 2001. The original 2001 design was a dam with a maximum storage capacity of 48.8 acre-feet, which is below the amount needing a Dam Safety permit. As constructed the dam has a maximum storage capacity of 69.3 acre-feet, which means it is of a size that falls in the jurisdiction of the Dam Safety statutes, and any modification must follow Dam Safety requirements, including filing plans in the Department subject to the Dam Safety Act. The alteration plans approved in 2019 show the dam will be lowered and the maximum storage capacity will be reduced to 49.1 acrefeet. This will bring the dam below the size needing a dam safety permit. No offset is required as modification of the dam will reduce storage to below the volume needing a Dam Safety Permit.

D. Groundwater Permits Issued: Industrial Transfer Notices for Groundwater Received – Table 3, Page 10

Two industrial transfer notices for groundwater were received in calendar year 2019. Industrial Transfer Notices for groundwater, ITN-36 and ITN-40, utilize wells located in South Platte NRD. These are associated with SPNRD groundwater transfers TR-IND-19-Stretesky, TR-IND-19-Harris, and TR-IND-19-Harris2. More details on the transfers can be found in the SPNRD's report covering 2019.

E. Offsets/Mitigations for Issued Permits

No offsets were necessary for the nineteen surface water applications approved for the purpose of groundwater recharge because the permits would not impact state protected flows or species target flows. The remaining three new surface water permits, for temporary road construction, also do not require any offset because they are temporary permits for public-

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use road construction and will not exceed ten acre-feet in total volume, which in accordance with *Neb. Rev. Stat.* § 46-233(8), is in the public interest and exempt from the determination of unappropriated water. The Dam Safety permit issued is for a dam to be reduced in storage capacity that will once modified will not require a Dam Safety permit, therefore it does not require offset

The industrial groundwater use in SPNRD described in the Industrial Transfer Notices ITN-39 and ITN-40 will be deducted from existing irrigation allocations and there will be no new use. No offset is required.

F. Additional Reporting of Cancelled Permits – Table 4, Page 11

To facilitate the exchange of information between the Department and the NRDs, the Department is also reporting on the cancellation of five surface water permits. One of the five permits was a temporary permit for public-use road construction, which expired in 2019, another permit was for irrigation, and the remaining three permits were temporary groundwater recharge permits issued for one year, which expired in 2019. Copies of the applications and orders for the cancelled surface water permits can be found in Appendix 1 of this report.

G. Net Effect due to New or Expanded Permitted Activity and Offsets/Mitigations

Due to the nature of the actions permitted by the Department, there will be no change in consumptive water use in the basin and no depletion or offset/mitigation analysis and estimates were necessary for 2019 activities.

Projects for the purpose of providing accretions to the river to offset other depletions were analyzed as part of the Robust Review, which can be found at http://upjointplanning.nebraska.gov/ Based on the analysis conducted for the Robust Review of the projects in place through 2013, the total of Nebraska's offset/mitigation efforts and depletions from new uses within the basin result in a net increase to streamflow.

A guidance document for the annual calculations, Basin-wide Technical Committee Guidance Document – Procedures for Annual Accounting Review and Robust Review to Assist Integrated Management Planning and Facilitate

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Reporting to the Platte River Recovery and Implementation Program, can be found on the Department's website at

https://dnr.nebraska.gov/sites/dnr.nebraska.gov/files/doc/water-planning/upper-platte/other/basin-wide-technical-committee-guidance20120814.pdf.

III. ACTIVITIES TO BE REPORTED ON A FIVE (5) YEAR BASIS

For the five (5) year tracking requirements, the Department reports on changes in livestock and human populations and conducts an inventory of sandpits and reservoirs less than 15 acre-feet. The Department also reports on retirements of irrigated acres and other activities conducted for the purpose of returning to a fully appropriated condition and any offsets/mitigations necessary for depletions resulting from increased consumptive use by the items reported in this section.

The changes in livestock and human populations and other activities between calendar years 1997 and 2005 were reported in the 2010 report. Activities in this section for the 2010 calendar year were reported in the 2011 report. Updates to livestock and human population data in the 2010 and 2011 reports were made after errors were identified following the original publication of the reports. The inventory of sandpits and reservoirs less than 15 acre-feet for 2005 to 2010 was reported in the 2013 report. All reports prior to 2016 are available from the Department upon request. More recent reports can be found at https://dnr.nebraska.gov/water-planning/upper-platte-basin-wide-meetings-and-annual-reports.

Human and livestock population analyses were updated as part of the Robust Review and are included with the Robust Review report.

IV. OTHER TECHNICAL ANALYSES

During the last couple years of the first increment of the IMPs and basin-wide plan, the Department and NRDs completed several studies. These were the 2019 Robust Review, previously discussed in this report; the Total Depletions report, an analysis of all depletions to streamflows from groundwater uses in the basin both prior to and after July 1, 1997; the Conservation Measures Phase II study, which modeled potential impacts of changes in tillage practices and irrigation efficiencies; and the INSIGHT analysis, an evaluation of the basin's cyclical supplies and demands. These reports, along with associated modeling files are available at

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https://upjointplanning.nebraska.gov/. The results of these analyses helped guide planning efforts for the development of the second increment of the basin-wide plan and IMPs and will continue to influence implementation of the plans throughout the increment.

The Department and the NRDs have begun preparing for the next Robust Review, which will be completed in 2023. A scope of work is in development and data are being collected. The Central Platte, Twin Platte, and Tri-Basin NRDs are also working with the Department on the Conservation Measures Phase III study, which entails field surveys to collect information on current tillage practices that will be used to potentially update the CROPSIM model.

The NRDs and the Department continue to work together on the maintenance and refinement of the two models for the area, the Western Water Use Management Model and the COHYST Model. These models and tools developed from them are used to conduct the analyses required by the basin-wide plan and the IMPs.

IV. SUMMARY

During 2019, the Department issued twenty-two new surface water permits, one dam safety permit, and received two Industrial Transfer Notices for groundwater. As shown through the 2019 Robust Review, when all activities in the basin are tracked and summed, the net effect of new or expanded uses and offset/mitigation activities is positive to the river.

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Table 1: Surface Water Applications Approved by the Department during Reporting Period January 1, 2019, to December 31, 2019

Appropriation Number	Approval Date	S-T-R W	Source or Canal	Use	Grant in Gra		Surface Water or Groundwater Mitigation	Associated Variance
A-19634	3/26/2019	8-13-29W	Tri-County Canal	Temporary Road Construction	0.45	5.0	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.06	VAR-7261
A-19633	3/21/2019	36-13-45W	Lodgepole Creek	Temporary Road Construction	0.78	10.0	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.06	VAR-7264
A-19637	5/13/2019	18-14-36W	Keith-Lincoln Canal	Temporary Groundwater Recharge	80.56	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7351
A-19638	5/13/2019	13-14-34W	North Platte Canal	Temporary Groundwater Recharge	201.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7352
A-19639	5/13/2019	18-14-33W	Paxton- Hershey Canal	Temporary Groundwater Recharge	102.78	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7353
A-19640	5/13/2019	14-12-43W	Western Canal	Temporary Groundwater Recharge	176.26	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7354
A-19641	5/13/2019	7-14-32W	Suburban Canal	Temporary Groundwater Recharge	77.47	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7355
A-19647	5/28/2019	18-20-51W	Belmont Canal	Temporary Groundwater Recharge	100.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7410
A-19648	5/28/2019	3-21-54W	Castle Rock Canal	Temporary Groundwater Recharge	88.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7411
A-19649	5/28/2019	28-22-55W	Central Canal	Temporary Groundwater Recharge	33.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7412

Table 1 Continued: Surface Water Applications Approved by the Department during

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Reporting Period January 1, 2019, to December 31, 2019

Appropriation Number	Approval Date	S-T-R W	Source or Canal	Use	Grant in CFS	Grant in AF	Surface Water or Groundwater Mitigation	Associated Variance
A-19650	5/28/2019	1-20-53W	Chimney Rock Canal	Temporary Groundwater Recharge	60.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7413
A-19651	5/28/2019	27-23-57W	Enterprise Canal	Temporary Groundwater Recharge	40.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7414
A-19652	5/28/2019	10-23-58W	Tri-State Canal	Temporary Groundwater Recharge	500.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7415
A-19653	5/28/2019	10-23-60W	Mitchell-Gering Canal	Temporary Groundwater Recharge	75.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7416
A-19654	5/28/2019	32-22-54W	Minatare Canal	Temporary Groundwater Recharge	40.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7417
A-19655	5/28/2019	10-23-60W	Mitchell Canal	Temporary Groundwater Recharge	100.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7418
A-19656	5/28/2019	10-23-58W	Northport Canal	Temporary Groundwater Recharge	150.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7419
A-19657	5/28/2019	17-22-55W	Winters Creek Canal	Temporary Groundwater Recharge	50.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7420
A-19672	9/5/2019	19-12-26W	Gothenburg Canal	Temporary Groundwater Recharge	100.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7551

Table 1 *Continued*: Surface Water Applications Approved by the Department during Reporting Period January 1, 2019, to December 31, 2019

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Appropriation Number	Approval Date	S-T-R W	Source or Canal	Use	Grant in CFS	Grant in AF	Surface Water or Groundwater Mitigation	Associated Variance
A-19673	9/5/2019	18-10-23W	Dawson County Canal	Temporary Groundwater Recharge	100.00	NA	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.03	VAR-7552
A-19675	9/27/2019	23-24-58W	Sheep Creek	Temporary Construction for Oil Exploration	0.11	2.0	Variance granted pursuant to 457 Neb. Admin. Code Ch. 23 § 001.06	VAR-7584
A-19679	11/21/20191	8-13-29W	E-65 Canal, Phelps Canal, Elwood Reservoir, Cottonwood Ranch Complex, Cottonwood WPA, Funk Lagoon WPA, Johnson WPA, Linder WPA and Victor Lakes WPA, via the Tri-County Canal	Temporary Groundwater Recharge	950.00	NA	Variance granted pursuant to 457 <i>Neb. Admin. Code</i> Ch. 23 § 001.03	VAR-7722

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¹ Appropriation A-19679 may not be utilized until previous temporary permit A-19617 has expired on 11/30/2019.

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Table 2: Dam Safety Permit Approved by the Department during Reporting Period January 1, 2019, to December 31, 2019

Plan Number	Order Date	Dam Status	S-T-R W	Project Name	Source	Use
P-20454	10/24/2019	Approved	20-14-49 W	North Sidney Wildlife Dam	Tributary to Lodgepole Creek	Fish and Wildlife

Table 3: Municipal and Industrial Groundwater Permit issued by the Department during Reporting Period January 1, 2019, to December 31, 2019

Permit Number	Well Registration Numbers	NRD GW Transfer Permit Number	Approval Date	Well Type	S-T-R W	Permitted Max. Daily Rate (gal.)	Permitted Total Annual Consumptive Use (gal.)	Offset Scheme
ITN-36	Not given	N/A	6/20/2019	Unknown	8-12-42 W	Not specified	81.5 AF Max Withdrawal	Unknown
ITN-40	G-003030 or back-up well G-037623	N/A	9/19/2019	Irrigation	7-12-42 W	Not specified	Not specified	Unknown

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Table 4: Surface Water Permits Cancelled by the Department during Reporting Period January 1, 2019, to December 31, 2019

Appropriation Number	Modification Number	Cancellation Date	S-T-R W	Canal or Source	Use	Begin Acres	Cancelled Acres	Cancellation in CFS	Cancellation in AF
A-19593	VAR-6602	4/16/2019	11-6-20 W	Portable Pump from E-65 Canal via Tri-County Canal	Temporary Road Construction	NA	NA	0.67	5.0
A-3380	REL-7512	7/31/2019	25-16-5W	Prairie Creek	Irrigation from Natural Flow	69.3	69.3	0.5	NA
A-19607	VAR-6975	8/16/2019	19-12-26W	Gothenburg Canal	Temporary Groundwater Recharge	NA	NA	100.00	NA
A-19608	VAR-6976	8/16/2019	18-10-23W	Dawson County Canal	Temporary Groundwater Recharge	NA	NA	100.00	NA
A-19617	VAR-7108	11/30/2019	8-13-29W	E-65 Canal, Phelps Canal, Elwood Reservoir, Cottonwood Ranch Complex, Cottonwood WPA, Funk Lagoon WPA, Johnson WPA, Linder WPA and Victor Lakes WPA, via the Tri-County Canal	Temporary Groundwater Recharge	NA	NA	950.00	NA

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Definitions

Depending on the types of permits issued or cancelled in a given year, not all definitions may be relevant to the current year's report.

Accretion	Addition to streamflow that results from an offset/mitigation action or project.						
Acre-Feet (af)	A unit of volume, commonly used to measure quantities of water used or stored equivalent to the volume of water required to cover 1 acre to a depth of 1 foot and equivalent to 43,560 cubic feet, 325,851 gallons, or 1,233 cubic meters.						
Annotation	Modification numbers or appropriation numbers also associated with the appropriation.						
Application/Appropriation Number	Appropriations having docket numbers (D-) refer to claims covering rights which existed prior to April 4, 1895, or those rights that existed on the Missouri River that were covered by the law passed in 1980. Those appropriations having application numbers (A-) were filed after April 4, 1895.						
Begin Acres	The amount of acres included in an original appropriation, prior to any acres being cancelled.						
Cancelled Acres	The amount of acres in an appropriation that have been cancelled.						
CFS/Cubic Feet per Second	The USGS defines cubic foot per second (cfs) as "the flow rate or discharge equal to one cubic foot of water per second or about 7.5 gallons per second."						
Depletion	Reduction to streamflow that results from a new use of either groundwater or surface water.						
Flood Control	This refers to water withdrawn from the surface water source for the purpose of protecting health and well-being of society.						
GPD/Gallons per Day	This refers to the number of gallons pumped per day.						
Grant in AF	This refers to the approved amount of acre-feet of water legally allowed to be pumped from a surface water source, as long as all other conditions are met.						

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Grant in CFS	This refers to the approved amount of cubic feet per second of water legally allowed to be pumped from a surface water source, as long as all other conditions are met.
Instream Use	This refers to water that is appropriated for use within the stream and is not withdrawn from a surface water source.
Offset	A reduction in water use that corresponds with an increased use of water. An offset may be used as a management strategy to balance uses and supplies. The offset will have a corresponding amount, time, and location. Also referred to as mitigation.
Order Date	This is the date the Department acted upon an application for a permit to appropriate water or a modification of an existing appropriation.
Permit Number	This refers to the number of a groundwater permit, assigned by the Department. The first letters in the permit number denotes type of permit.
Plan Number	This is a unique identifier assigned by the Dam Safety Division for the required plans of dams filed in the Department.
Project Name	This name is provided by the applicant.
Relinquishment (REL)	The voluntary yielding of a surface water appropriation by the owner. By relinquishing a surface water appropriation, the owner surrenders all claims to the right to divert water and apply it to the property in accordance with the appropriation. Relinquishments may be for part or all of an appropriation. A form must be filed with the Department for any relinquishments.
Section/Township/Range	This is the legal description of where a dam, well, or water appropriation is located.
Use	This is the legally accepted and beneficial use of the water impounded by a dam, well, or water appropriation.

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Variance (VAR)	An applicant may petition the Department to file an application for a new surface water appropriation within a moratorium or stay area. This petition, also known as a
	"variance," if granted, would allow the applicant to file the application, and does not bind the Department to approve any application to which it relates. The variance petition must include sufficient information to indicate the proposed project is for a non-consumptive use, the applicant has a plan to offset any consumptive use, there may be unappropriated flows, the use existed prior to the moratorium, the project address a public safety issue, or the project is a temporary use less than ten (10) acre-feet for public construction.
Water Division	The State of Nebraska is divided in two water divisions by statute, denoted Water Division No. 1 and Water Division No. 2, respectively. Water Division No. 1 consists of all the lands of the state drained by the Platte Rivers and their tributaries lying west of the mouth of the Loup River; and also all other lands lying south of the Platte and South Platte rivers that may be watered from other superficial or subterranean streams not tributary to the Platte River. Water Division No. 2 consists of all lands that may be watered from the Loup, White, Niobrara, and Elkhorn rivers, and Hat Creek and their tributaries, and those lands drained by the Platte River and its tributaries lying east of the mouth of the Loup River. For convenience in the administration of the surface water laws and the distribution of water, the two water divisions have been subdivided into 12 water divisions, denoted:
	1A Platte River basin, 1B Republican River basin, 1C Little Blue River basin, 1D Big Blue River basin, 1E Lodgepole Creek basin, 1F Nemaha River basin and Lower Missouri River and tributary basins, 2A Loup River basin, 2B Elkhorn River and Salt Creek basins, 2C Niobrara River basin, 2D White River and White Clay Creek basins, 2E Hat Creek basin, 2F Upper Missouri River and Tributary basins.

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The complete document and appendix are available from the Department website: https://dnr.nebraska.gov/water-planning/upper-platte-basin-wide-meetings-and-annual-reports or may be requested in paper or electronic format by contacting Jessie Winter at (402) 471-0376 or jessie.winter@nebraska.gov.

Listing of Appendices and Documents:

Annual Report of the Department of the Natural Resources to Meet the Requirements of the North Platte, South Platte, Twin Platte, Central Platte and Tri-Basin Natural Resources Districts' Integrated Management Plans for the 2020 Upper Platte River Basin-Wide Meeting.

Appendix 1

- Applications and Orders for Department issued surface water permits.
- Applications and Orders for Department issued dam safety permits.
- Applications and Orders for Department cancelled surface water permits.
- Notices and responses from the Department regarding groundwater industrial transfer notices received.