



Nebraska Excess Flow Variance Petition

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**DSS Id:** 49

**Water Rights Id:** Pending

**Permit Type:** Temporary

**Appropriator:** Central Nebraska Public Power and Irrigation District

**Point of Diversion:** Tri-County Diversion Dam

**Annual Operating Plan Year:** 2024

**Address:** PO Box 740 Holdredge, NE 68949

**Phone Number:** (308) 529-1621

**E-mail:** dbrundage@cnppid.com

Permit Variance

**Description of Proposed Project & Good Cause Narrative (Expected Benefits)**    *The purpose of this application is to divert unappropriated excess flows, if available, for recharge of the groundwater aquifer in order to mitigate stream depletions from groundwater pumping and increase base flow into local streams, which supports key goals and objectives of Second Increment Basin-Wide Plan (BWP) for Joint Integrated Management of Over-appropriated Portions of the Platte River Basin (BWP) and the Second Increment Integrated Management Plan and Associated Surface Water Controls (IMP). Accretions to streamflow that may occur as a result of recharge under this proposed diversion would be beneficial as they are intended to assist in achieving the goals of the BWP and IMPs. Additionally, the BWP and IMPs provide support for Nebraska's participation in the PRRIP. Nebraska is a party to the PRRIP and in part, Nebraska will achieve its commitments under the PRRIP through implementation of Water Action Plan projects. Therefore, diversions under the proposed application may assist Nebraska reach its PRRIP goals. CNPPID intends for diversions under this proposed application to help achieve PRRIP goals and to reduce shortages to FWS target Flows. This diversion project is expected to be operated in accordance with the goals and objectives of the BWP and IMPs. As stated above, Nebraska has committed to achieve its obligations to the PRRIP. Therefore, under Nebraska's current commitment to the PRRIP, the project shall only divert water when USFWS target flows are exceeded or when such requirement is waived by the Department. Please refer to the attached document for further details on the hydrologic analysis of unappropriated water availability.*

The Proposed Project Must Meet at Least One of the Following Criteria (Check All That Apply)

- ☒ The applicant has credible information that indicates there may be unappropriated water available at the proposed location at the time the depletion is likely to occur. (Upload analysis, PDF with descriptive name)
- Use DNR Report

Upload Analysis
- ☐ The proposed project is for a non-consumptive use. (Upload description of use, PDF with descriptive name)
- ☐ The applicant has a credible proposal for replacing any consumptive use that will occur in a manner such that the project will not harm other users. (Upload offset plan, PDF with descriptive name)
- ☐ The project existed prior to any informal moratorium, formal moratorium or stay. (Upload proof, PDF with descriptive name)
- ☐ There is a public safety issue that must be addressed and the proposed project addresses that issue. (Upload explanation, PDF with descriptive name)
- ☐ The proposed use is a temporary use for public construction and the total volume requested is less than ten (10) acre-feet.

Upload Files to Support the Criteria Selected Above

No supporting files are uploaded.

Permit Application (Alternate Form APA-001)

**What Is the Recharge Application Type?** *Natural Flow*

**Source Name (From Point of Diversion)** *Tri-County Canal from Platte River*

**Diversion Type (From Point of Diversion)** *Headgate*

**Diversion Structure Name (From Point of Diversion)** *Tri-County Diversion Dam*

**Maximum Capacity of Canal or Delivery Works (CFS) (From Point of Diversion)** *2250*

**Quantity Desired for Recharge Appropriation (CFS)** *950*

**What is the Minimum Operational Rate of the Canal (CFS)** 25

**What is the Earliest Diversion Date?** 03/01/2024

**Will This Project Be Constructed under a Federal Program, Receive Federal Funding, or Have Federal Planning Assistance?** Yes

**Do You Intend to Divert Water into Recharge Facilities Other than Your Canal?** Yes

**How Many Recharge Facilities Will Be Utilized under This Application?** 9