

NOTICE OF PUBLIC HEARING
SOUTH PLATTE NATURAL RESOURCES DISTRICT

Pursuant to the Nebraska Ground Water Management and Protection Act (*Neb. Rev. Stat.* §§ 46-701 to 46-754), the South Platte Natural Resources District (SPNRD) provides notice that it will hold a public hearing on Monday, May 13, 2024, at 5:00 p.m., or 30 minutes following the end of a public information session, whichever is later, at the South Platte NRD Office, 551 Parkland Drive, Sidney, Nebraska, to consider the proposed Amended and Restated Districtwide Ground Water Management Area Rules and Regulations (the Rules). The geographic area of the management area, which includes the proposed amended controls, is all of the land area located within the boundaries of the SPNRD, which includes all of Kimball, Cheyenne and Deuel Counties and as shown on the map attached to the Rules as Appendix B. All interested persons may appear at the hearing and present testimony or provide other evidence relevant to the issues being considered. A public information session concerning the above will be held at 3:30 p.m., on the same date and location.

A general description of all controls proposed for amendment and for the contents of the Rules proposed for amendment are as follows: **A)** Renumber Table of Contents and Appendices accordingly; **B)** Strike through “Revised” in the Table of Contents under Appendices B; **C)** The addition of Appendix C-1 is to reflect the 2025 through 2027 Allocation amounts in Subareas A, B, C, D, E and F; **D)** Revises Rule 6.6 to add reference to Appendix C1 on page 22; **E)** Add proposed Rule 6.6.1.2 allocation amounts in Acres-Inches by Subarea for the 2025 through 2027 Allocation Period on page 22, which are as follows:

| | | <u>Allocation Periods</u> |
|--|-------|---------------------------|
| Subarea A – Wyoming State Line to Oliver Reservoir (Road 27) | = 42” | (3-year total) |
| Subarea B – Oliver Reservoir (Road 27) to Buffalo Bend (Road 87) | = 42” | (3-year total) |
| Subarea C – Buffalo Bend (Road 87) to Sidney (Road 115) | = 42” | (3-year total) |
| Subarea D – Sidney (Road 115) to Colorado State Line | = 48” | (3-year total) |
| Subarea E – South Platte Valley | = 48” | (3-year total) |
| Subarea F – Tablelands | = 39” | (3-year total) |

(Currently, the Board does not foresee making any changes to the present irrigation allocation amounts but will determine the final amount of the Allocations after the public hearing and receiving written comments.)

F) In addition on page 22, proposed Rule 6.6.1.2.1 states Allocations in Subareas A, B, C, D, E and F will have a three (3) year Allocation Period, and proposed Rule 6.6.1.2.1.1 provides that in 2027, the Board will set Allocations for a new Allocation Period to commence in 2028 for all Subareas; **G)** Remove “three (3) year” reference under Rule 6.6.1.4 on page 23; **H)** Renumber Rules 6.6.1.3 through 6.6.1.8 accordingly on pages 22 & 23; **I)** Add language on page 27 as follows: 6.7.6.2 Unless the Board approves a Variance, Transfers of Allocation are prohibited until 1) three (3) irrigation seasons following the installation of a Flow Meter on the affected well have been completed in order to provide an irrigation history, and 2) an Allocation system has been implemented pursuant to these Rules. 6.7.6.3 In order to Transfer one hundred percent (100%) of the Allocation, at least fifty percent (50%) or more of the Allocation must have been used during the Allocation Period and proof of such use must accompany the application submitted to the Board. 6.7.6.4 Transfers of less than one hundred percent (100%) of the Allocation may occur when less than fifty percent (50%) of the Allocation has been used during the Allocation Period. In such instances, the applicant may apply to Transfer only up to the amount of Allocation used during the Allocation Period; **J)** Add “meeting the criteria above” to Rule 6.7.6.5 & 6.7.6.6 on page 28; **K)** Renumber Rules 6.7.6.5 through 6.7.6.7 on page 28 accordingly; **L)** Under Rule 7.1.4.1 found on page 36, add “be designated in Phase II and shall apply to all irrigated crops except alfalfa and then strike wording “remain designated in Phase I until the 2024 crop season when this

subarea will transition into a Phase II designation and shall apply to all irrigated crop acres except alfalfa.;
M) On page 51, add a new Appendix C1 to reflect the 2025 through 2027 Allocation amounts in Subareas A, B, C, D, E and F.

Individuals with disabilities who wish to attend the hearing may request auxiliary aids and service necessary for participation by contacting the SPNRD by Friday, May 10, 2024. Testimony or other evidence relevant to the purposes of the hearing may also be submitted in writing to the South Platte Natural Resources District, 551 Parkland Drive, P.O. Box 294, Sidney, Nebraska 69162-0294, or by electronic mail to the SPNRD at gwittrock@spnrd.org by 5:00 p.m., Friday, May 10, 2024.

For further information regarding the proposed amendments to the rules and regulations, or for the full text of said proposed Amended and Restated Districtwide Ground Water Management Area Rules and Regulations, refer to the SPNRD website at <http://www.spnrd.org>, or contact the SPNRD at 551 Parkland Drive, Sidney, Nebraska, or contact the SPNRD at (308) 254-2377.

Following the public hearing on the proposed amendments to the rules and regulations, the SPNRD Board of Directors will make a decision within 90 days to set the Allocation amount for each Subarea and whether to adopt, with or without modifications, the proposed amendments to the Districtwide Ground Water Management Area Rules and Regulations.