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Hearings study moratorium plan

By LORI POTTER Hub Staff Writer

LEXINGTON - Central Platte Natural Resources District directors probably will decide at their Nov. 20 board meeting whether to place a temporary moratorium on drilling new wells along the Central Platte River.

The proposal was outlined Monday at public hearings in Lexington and Kearney. Two more hearings are scheduled Thursday, at 1 p.m. in Central City and at 6 p.m. at the CPNRD office in Grand Island.

Written comments will be accepted until the Nov. 20 meeting time.

CPNRD General Manager Ron Bishop outlined the proposal in Lexington. He said the moratorium was requested by the Nebraska Department of Natural Resources because surface water supplies haven't been adequate in recent years to meet water rights, some dating to the 1880s.

DNR officials have said the Platte River upstream of the Kearney Canal headgates near Elm Creek is overappropriated, according to Bishop, and the stretch from Elm Creek to Columbus "is at least fully appropriated, if not more."

If approved, the moratorium would take effect Nov. 20 and run for three years unless it's rescinded by the board. There is an option for two one-year extensions.

During the moratorium, the NRD and DNR would make a joint study to determine if an integrated water management plan is needed.

Other basic elements of the moratorium proposal are:

It would run the length of the district, from western Dawson County through Merrick County, generally from six to eight miles on either side of the river. That's about 60 percent of the district.

It includes irrigation, industrial and municipal wells. Exceptions are wells pumping less than 50 gallons per minute, dewatering wells in service less than 90 days, replacement wells and test holes.

The board can grant variances for wells used for monitoring/observation, contamination/remediation and emergency situations involving human consumption or other good cause. Farmers said Monday that a variance also is needed for surface water users who require wells for supplemental water on acres already under irrigation.

All well permits approved by Nov. 20 will be honored, and irrigators have one year to drill the well.

Bishop said the proposed moratorium area now has 14,437 registered wells, including 10,650 for irrigation. Groundwater monitoring shows groundwater declines of 7 to 10 feet in wells some distance from the river in Dawson and Buffalo counties, with smaller declines closer to the river.

He said the district saw the largest number of new wells drilled in 2002. "And so far this year, we've had a large number of permits and a large number of new wells going in, considering we have a couple months to go."

All Platte Basin NRDs are dealing with moratoriums in some way, according to DNR Director Roger Patterson. The North Platte NRD has a districtwide moratorium. One on Lodgepole Creek, a Platte tributary, involves nearly all of the South Platte NRD.

Twin Platte, based at North Platte, and Tri-Basin, based at Holdrege, also have been asked by DNR to consider moratoriums.

Tri-Basin NRD General Manager John Thorburn said his board's planning committee will meet with Patterson Nov. 17 to discuss the issue. Tri-Basin officials also are looking at other management options to deal with a specific water quantity decline in southern Gosper County.

Nearly all of the Republican River Basin is in a moratorium as part of the Kansas v. Nebraska lawsuit settlement, and Patterson said the Upper Niobrara-White NRD in northwest Nebraska moved ahead on its own with a moratorium and work on a management plan.

At the Lexington hearing, Bishop was asked about the effect trees have on Platte River flows. "We don't really know, but we're working with the USGS (U.S. Geological Survey) ...," he said. "We think it's a considerable amount, but we don't know what the number is."

He also was asked why a moratorium vote is scheduled before more is known from such efforts as the Platte River Cooperative Agreement, Nebraska Water Policy Task Force and the yet-to-be-completed Cooperative Hydrology Study.

Bishop said the goal is to not make things worse. If the study shows there are no problems, drilling could resume at any time.

"The economy of the area depends on irrigated agriculture, so we need to protect it," he said, especially the existing uses. "... Let's know where we're at before we get in any deeper."

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