

**ORDER ADOPTING THE VOLUNTARY INTEGRATED MANAGEMENT PLAN  
DEVELOPED JOINTLY BY  
LOWER NIOBRARA NATURAL RESOURCES DISTRICT  
AND  
THE DEPARTMENT OF NATURAL RESOURCES**

Background:

1. On September 30, 2011, the Lower Niobrara Natural Resources District (“District”) submitted a letter of intent to develop a voluntary Integrated Management Plan (“IMP”) to the Nebraska Department of Natural Resources (“Department”).
2. The District and the Department consulted and collaborated on the development of the voluntary IMP with a group of stakeholders. The stakeholder group consisted of the statutorily required persons and other entities that were identified by the District and the Department to be included in the group. Through this process of consultation and collaboration, the District and the Department jointly developed a voluntary IMP in accordance with the Ground Water Management and Protection Act (the “Act”), particularly, NEB. REV. STAT. §§ 46-715, 46-716, 46-717, 46-718, and 46-720.
3. The District and the Department reached agreement on (a) the proposed goals and objectives of the voluntary IMP, (b) the proposed geographic area to be subject to the controls of the voluntary IMP, and (c) the surface water and groundwater controls that are proposed for adoption and implementation of the voluntary IMP.
4. On January 15, 2014, pursuant to notices duly published in accordance with NEB. REV. STAT. § 46-743, the District and the Department jointly held a public hearing in Butte, Nebraska on the proposed voluntary IMP.
5. Following the hearing on January 15, 2014, the District and the Department jointly decided to adopt and implement the proposed IMP with only minor revisions and the surface water controls and groundwater controls proposed in the IMP.
6. On March 3, 2014, the District adopted the proposed IMP and affirmed the use of groundwater controls necessary for implementing the IMP.
7. On March 5, 2014, the Department sent the District a letter agreeing to adopt the proposed IMP and surface water controls.

Controls adopted by the District pursuant to NEB. REV. STAT. § 49-739:

1. The ground water controls included in the IMP are as follows:
  - (a) The District will certify all irrigated acres within the District boundaries within two years (time will begin when the IMP is approved and goes into effect). The District is in the process of certifying all groundwater irrigated acres utilizing a GIS-based data system in conjunction with County Assessors and aerial photographs of historically irrigated acres.
  - (b) The District will develop controls for well permit ranking for the addition of new and/or helper irrigation wells on new and/or existing irrigated acres. In order for a well permit to be approved, the District will set a minimum score that all wells must meet before a permit will be approved. The purpose of the ranking system is to be able to continue to allow high capacity well development without creating

negative impacts, conflicts, or interferences with neighboring water users. A maximum number of wells per system will be established using the following criteria: (1) thickness of primary aquifer formation; (2) calculated transmissivity; (3) irrigation well density; (4) public water supply well density; (5) domestic, livestock, and other well densities; (6) irrigation best management practice and stream depletion factors; and (7) certification by a hydrologist and/or a professional engineer the existing well has failed and a new well is necessary to continue pumping an adequate volume of irrigation water to the existing irrigated acres.

- (c) The District will require the mandatory installation of water flow meters on all new high capacity wells and/or modified irrigation wells and/or irrigation systems, commercial, industrial, or municipal water supply systems. This includes installation of a water flow meter prior to the addition of a helper well/s. The District will encourage the voluntary installation of water flow meters on all existing high capacity well systems.
- (d) The District will establish a set number of new irrigated acres which can be applied for on an annual basis. The new acres will meet a minimum score set by the Board. The following criteria will be used: (1) irrigation type; (2) land capability class rating using USDA Natural Resources Conservation Service Web Soil Survey; (3) stream depletion factors; (4) groundwater quantity; (5) groundwater quality (nitrates) and compliance with the Nitrogen Certification Guidelines in the District's Ground Water Management Plan; and (6) irrigation concentration (well spacing requirements). These restrictions will be made mandatory throughout the entire District.

Area Subject to the IMP:

The ground water management area subject to integrated management under the IMP includes the entire area defined by the geographical boundaries of the Lower Niobrara Natural Resources District and specifically, the Bazile Groundwater Quality Management Area, which includes all of Township 29N Range 6W (Miller Township); all of Township 29N Range 7W (Logan Township) and all of Township 29N Range 8W (in Walnut Grove Township) in Knox County, Nebraska, which is located in the southeast corner of the District.

Order:

The Lower Niobrara Natural Resources District hereby adopts the voluntary integrated management plan, effective as of May 1, 2014.

Lower Niobrara Natural Resources District

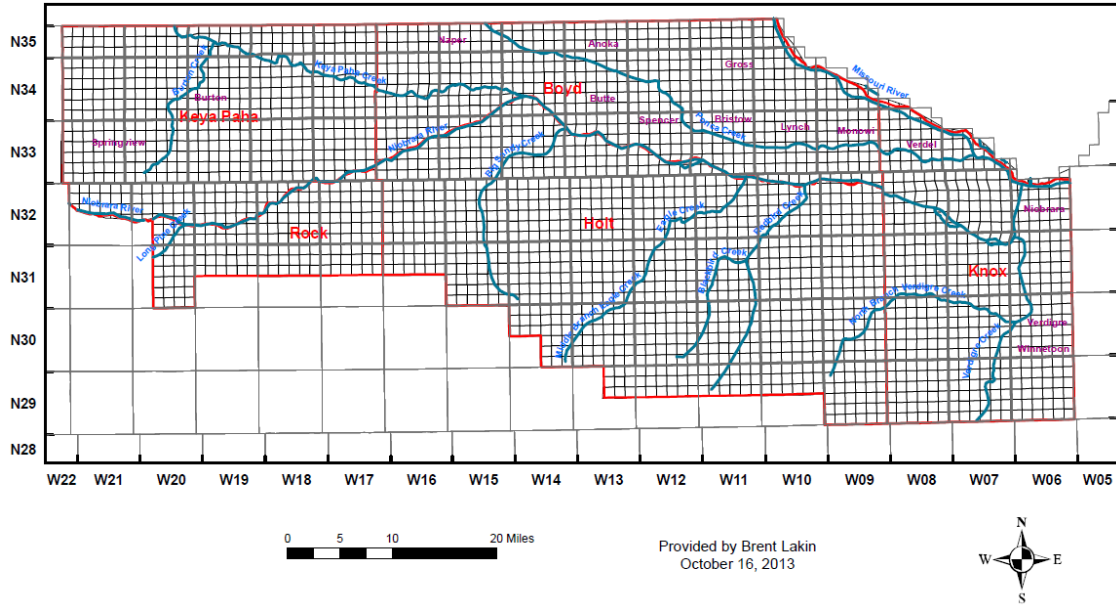
March 3, 2014

[Larry Baumeister, LNNRD Chairman]

This Order shall be published once each week for three consecutive weeks in the Atkinson Graphic, Holt County Independent, Verdigre Eagle, Butte Gazette, Creighton News, Crofton Journal, Rock County Leader and Springview Herald. A copy of the full text of the proposed controls may be obtained from the District at 410 Walnut Street, P.O. Box 350, Butte, Nebraska 68722-0350, and on its website, [www.lnnrd.org](http://www.lnnrd.org).

Exhibit A

**Figure 1: Lower Niobrara Natural Resources District Integrated Management Plan Management Area**



**Note: This area also includes the Department of Natural Resources surface water limitation area.**

**Figure 2: Lower Niobrara Natural Resources District Phase II Groundwater Management Area**

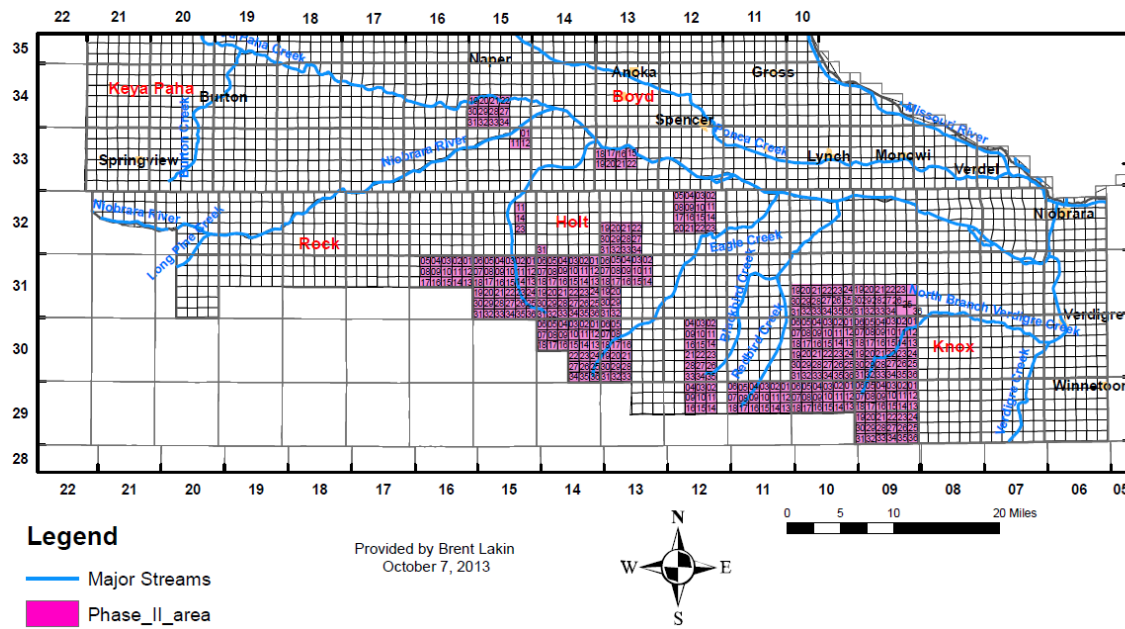
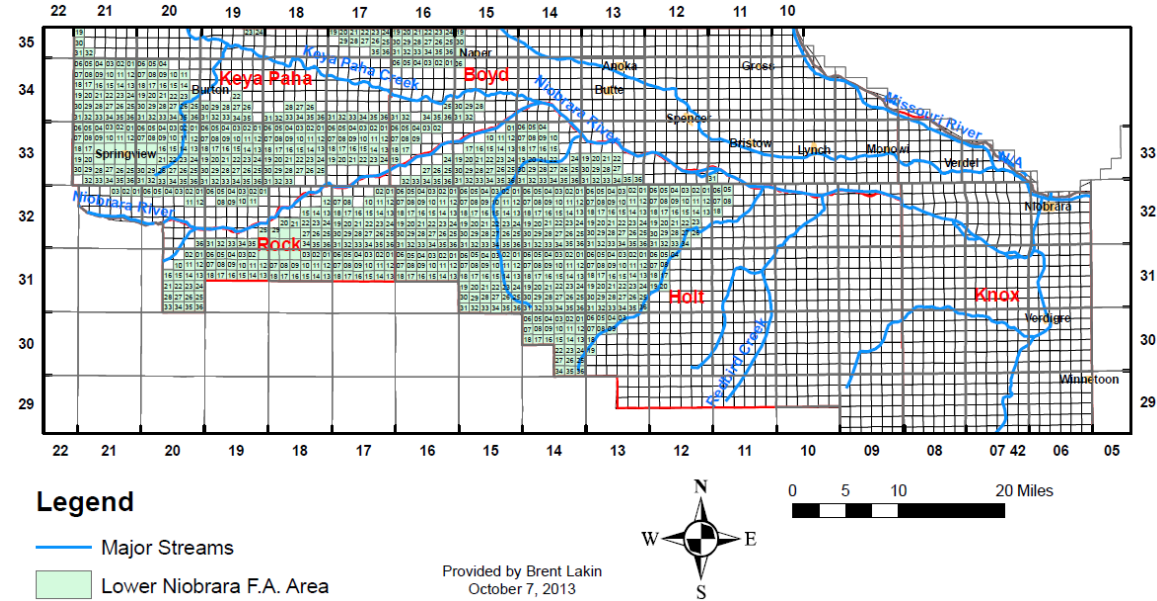


Exhibit B

**Figure 3: Lower Niobrara Natural Resources District Previously Designated Fully Appropriated Area of the Lower Niobrara River Basin**



**Figure 4: Lower Niobrara Natural Resources District Previously Designated Fully Appropriated Area of the Lower Platte River Basin**

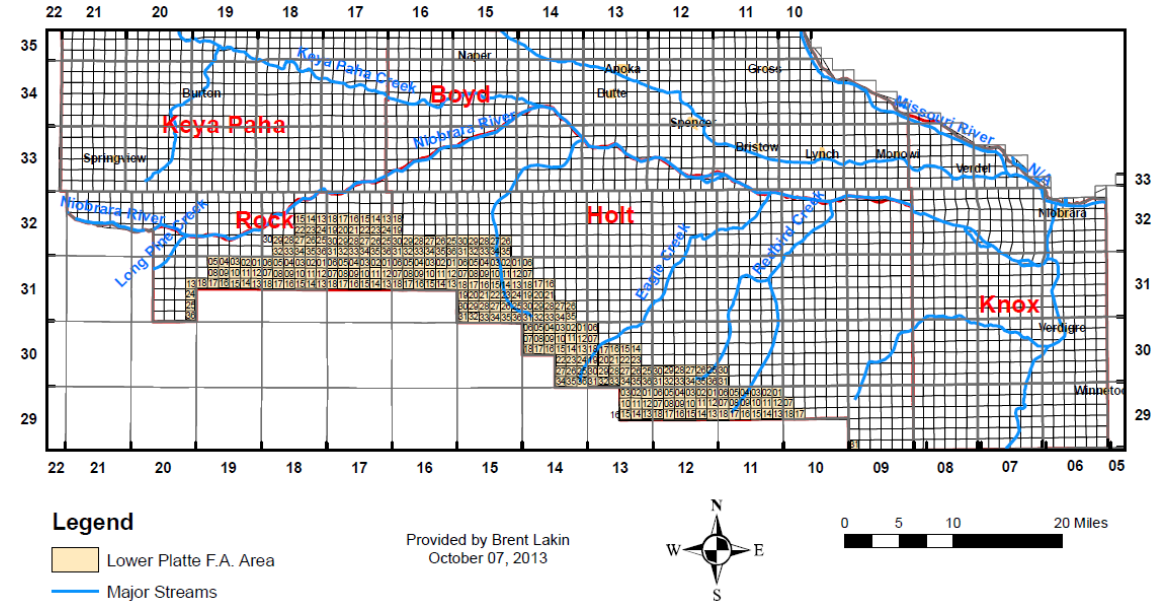


Exhibit C

Figure 5: Lower Niobrara Natural Resources District Bazile Groundwater Management Area

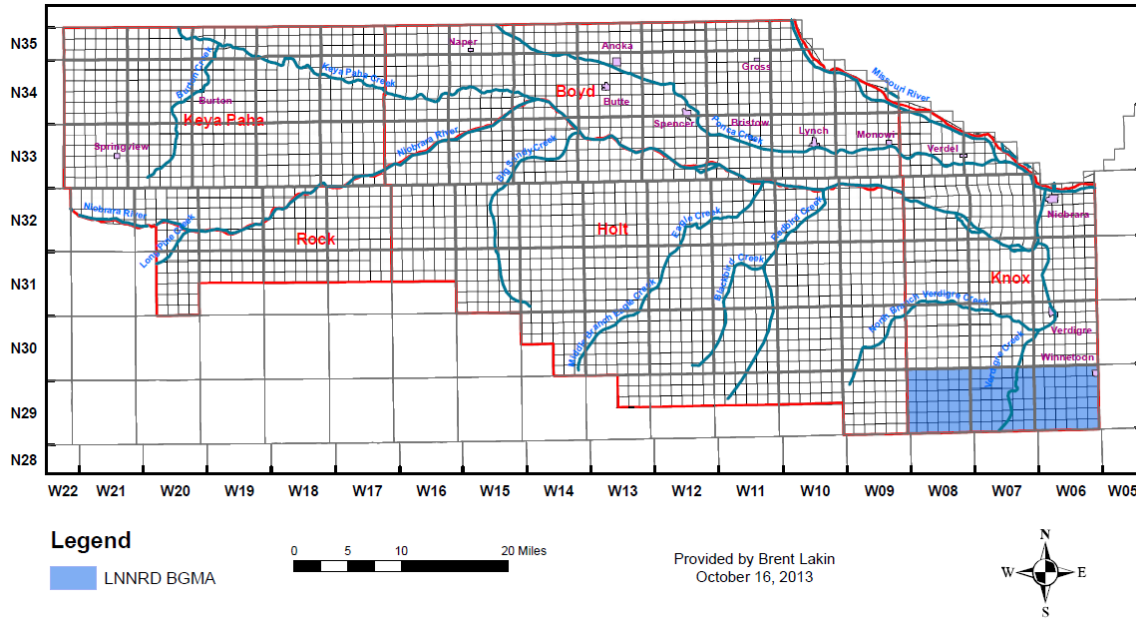


Figure 6: Lower Niobrara Natural Resources District Detail View of Bazile Groundwater Management Area

