

**Republican River Basin-Wide Plan
Stakeholder Advisory Meeting Minutes
June 26, 2018 | Community Building; Cambridge, Nebraska**

Stakeholder Advisory Committee members in attendance were:

Jared Baker	Jim Kent	Roric Paulmam
Brad Edgerton	Bradly Knuth	John Rundel
Troy Fletcher	Jerry Kuenning	Daniel Smith
Wayne Haarberg	Jeff Loschen	Shad Stamm
Dale Helms	Gale Lush	Aaron Thompson
Dick Helms	Cedric McDaniel	Ted Tietjen
Bill Hoyt	Ross Montgomery	Marcia Trompke
Curtis Kayton	Dave Oxford	

Plan Development Team members in attendance were:

Hannah Atkin	Carol Flaute	Jennifer Schellpeper
Patti Banks	Brian Harmon	Todd Siel
Scott Dicke	Nate Jenkins	John Thorburn
Beth Eckles	Jack Russell	
Jeff Fassett (by phone)	Sylvia Johnson	

Individuals from the community present during the meeting included:

Rick Spencer	Mark Christensen	Jean Eichhorst
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Note: See Attachment A for a copy of the sign-in sheets.

NOTICE OF THE MEETING

Notice of the meeting was published on the Department of Natural Resources web site (dnr.nebraska.gov). Notices were also published in the Holdrege Daily Citizen, McCook Gazette, Imperial Republican, and the Benkelman Post & News Chronicle.

INFORMATIONAL MATERIALS

In advance of the meeting, stakeholders were reminded to bring the binder provided at the June 1st meeting that included all draft plan sections (Attachment E of the June 1, 2018, meeting minutes).

The draft plan sections from the binder that were discussed at this meeting included:

1. Plan Schedule (Attachment B)
2. Plan Area (Attachment C)
3. Appendix: Procedures for Addressing Conflict (Attachment D)

Stakeholders that were not present at the June 1st meeting were provided a copy of the binder. Members of the public were provided the handouts listed above and copies of the three sections discussed at the meeting rather than a binder.

The following additional handouts were provided at the June 26th meeting:

1. Meeting agenda (Attachment E)
2. Stakeholder proposed changes to measurable hydrologic objectives (Attachment F)
3. Stakeholder proposed changes to Plan Area (Attachment G)
4. Stakeholder proposed changes to Procedures for Addressing Conflict appendix (Attachment H)
5. Dissent opinion proposal (Attachment I)

1. WELCOME

- Jennifer Schellpeper, NeDNR, welcomed everyone and reviewed the agenda and stated that this meeting is subject to the Nebraska Open Meetings Act. She stated that this meeting is subject to the Nebraska Open Meetings Act, stated where the meeting was noticed, and indicated where a copy of the Open Meetings Act was located in the room.
- Schellpeper stated that the minutes from the June 1st and June 26th stakeholder meetings will be sent to stakeholders together for review at a later date.
- Jeff Fassett, Director, NeDNR, thanked all the basin-wide plan participants for their hard work and dedication, via telephone projected over the microphone.

2. DRAFT PLAN SECTIONS

- Schellpeper reminded stakeholders that they would be voting on concepts and substance today, but that editorial changes may still be made after today.
- **Measurable Hydrologic Objectives** (within Plan Schedule section)
 - Schellpeper reminded stakeholders of the discussion from the June 1st meeting and the types of questions that were raised at that meeting
 - She informed the stakeholders that, following the June 1st meeting, she met with some of the stakeholders who had expressed concerns last time, in her role as

facilitator. NeDNR brought handouts to this meeting that tried to capture what they heard from that small group of stakeholders as alternative language for the group to consider for the remaining plan sections. She noted that these handouts represent ideas brought by those stakeholders, not changes proposed by NeDNR and the NRDs.

- Carol Flaute, NeDNR, provided a high-level overview summarizing the differences between the original proposed language for Measurable Hydrologic Objectives (MHOs) B and C (Attachment B) and the stakeholder-proposed alternative proposed language (Attachment F).
- There was a lengthy discussion about the details of the proposed alternative language for MHOs B and C. Some stakeholders raised concerns about the fact that a small group of stakeholders met without the rest of the stakeholder committee, and others disagreed with the idea of proposing significant changes this late in the plan development process. Some stakeholders thought more time was needed to develop specific assessment procedures and that this should be done by NeDNR and the NRDs.
- Following discussion, the group voted on a modified version of MHO B, as described in Table 1.

Table 1. Vote details for MHO B. All parties who were present and who voted are included in the count.

Plan Section Voted On	Specific Details Voted On	Vote Tally
MHO B (within Plan Schedule)	The original language from the binder (Attachment B), with the following modifications: (1) Remove the word "net" and replace with a footnote about the mound credit (as shown on Attachment F) (2) Replace the "assessment" and "MHO is being achieved" portions with "Before the first annual meeting, NeDNR and the NRDs will develop written procedures detailing the MHO analyses, which will be appended to the plan." (3) Include cost-benefit analysis as a part of the existing goal about considering economic impact	24 for, 1 against, (Dale Helms), 1 abstained (CNPPID)

- When asked to support his "no" vote, Helms expressed that NeDNR and the NRDs don't protect surface water users and that he feels surface water users have no representation, and that the with the changes proposed in Attachment F, they were trying to include some language that tried to protect surface water.
- Following this vote, Schellpeper brought up the concept of dissent language as one option for recording dissent (Attachment I). There was discussion about the dissent language suggestion, but no vote was taken.

- Stakeholders had questions about what a “no” vote means for the process at this time. Schellpeper clarified that this remains a consensus plan, per statute. If there’s consensus on an item, NeDNR and the NRDs will adopt what the parties approved at the stakeholder meetings. If there’s not consensus among the parties, then, NeDNR and the NRDs will consider the votes when they make their decision.
- Discussion moved to consideration of several options for MHO C. A summary of votes on modified versions of MHO C follows in Table 2. The original proposed language from the binder is in Attachment B. The revised language suggested by the small group of stakeholders is in Attachment F.

Table 2. Vote details for MHO C. All parties who were present and who voted are included in the count.

Plan Section Voted On	Specific Details Voted On	Vote Tally
MHO C (within Plan Schedule)	MHO C Vote 1. The original version of MHO C only (as in Attachment B), with the “Assessment” and “MHO is being Achieved” portions replaced with “Before the first annual meeting, NeDNR and the NRDs will develop written procedures detailing the MHO analyses, which will be appended to the plan”	23 for, 2 against (Brad Egerton, Dale Helms), 1 abstain (CNPPID)
	MHO C Vote 2. The version proposed by the small group of stakeholders (Attachment F)	16 for, 6 against (Jerry Kuenning, Dave Oxford, Curtis Kayton, Shad Stamm, Dan Smith, URNRD), 1 abstain (CNPPID)
	MHO C Vote 3. Repeat of MHO C Vote 1	22 for, 2 against (Brad Edgerton, Ross Montgomery), 2 abstain (CNPPID, Dale Helms)

- Following Vote 1 on MHO C, Brad Edgerton explained the reason for his “no” vote as, if you’re managing declines, then you’re managing to be without water in the future. He doesn’t think that’s the intent of the legislation and doesn’t think there’s any place for that in this plan, and Dale Helms stated that he doesn’t think there’s been enough done to make sure the aquifer will last into the future.
- Following Vote 2 on MHO C, Schellpeper asked the six “no” voters to explain their votes. Nate Jenkins (URNRD) stated that having a no-decline policy in the short-term would devastate the economy. Dan Smith stated that you’re looking at

declines that are sometimes out of the NRDs’ control, and also that managing declines can sometimes increase the water supply. Curtis Kayton suggested that some level of decline in the basin might be sustainable, emphasized the importance of agriculture to the economy, and suggested moving forward with the original language and continuing to work towards this issue in the annual meetings. Shad Stamm stated that he thinks this is an area where we need flexibility in the short term. Dave Oxford pointed out that we have very little control over groundwater use across the state line, which contributes to groundwater declines near the Colorado border. Jerry Kuenning said that we’re doing what we can to manage groundwater use in declining areas and said we need more time to get there.

- Prior to Vote 3 on MHO C, Dale Helms left the meeting, stating that he was abstaining from voting on this item. His vote was recorded as “abstain” on Vote 3 for MHO C, and no votes were recorded for him on any remaining items.
- The group moved on to MHOs D and E. No concerns were raised about these two MHOs. Votes on these items are summarized in Table 3.

Table 3. Vote Details for MHOs D and E. All parties who were present and who voted are included in the count.

Plan Section Voted On	Specific Details Voted On	Vote Tally
MHO D (within Plan Schedule)	The original language from the binder (Attachment B)	25 for
MHO E (within Plan Schedule)	The original language from the binder (Attachment B)	25 for

- The group discussed and voted on MHO A later, near the end of the meeting. Following the discussion, the group voted on a modified version of MHO A, as summarized in Table 4.

Table 4. Vote Details for MHO A. All parties who were present and who voted are included in the count.

Plan Section Voted On	Specific Details Voted On	Vote Tally
MHO A (within Plan Schedule)	The original language from the binder (Attachment B), with the following modification: add a footnote clarifying that “net” includes augmentation	23 for, 1 against (Brad Edgerton), 1 abstain (CNPPID)

- Following the vote on MHO A, Schellpeper asked Brad Edgerton to explain his “no” vote. Edgerton expressed concerns that using “net” depletions for the assessment would allow for depletions upstream of Frenchman-Cambridge Irrigation District to be offset downstream.

Plan Area section

- The group discussed the original language for the draft Plan Area section from the binder (Attachment C) and stakeholder-proposed changes to this section (Attachment G). The stakeholder-proposed changes add clarity about what will happen if NeDNR revises the extent of the hydrologically connected area for the basin during the time frame of the plan. The vote on the Plan Area section is summarized in Table 5.

Table 5. Vote Details for the Plan Area section. All parties who were present and who voted are included in the count.

Plan Section Voted On	Specific Details Voted On	Vote Tally
Plan Area	As shown in the stakeholder-suggested revisions handout (Attachment G)	23 for, 1 against (Brad Edgerton), 1 abstain (CNPPID)

- Following the Plan Area vote, Schellpeper asked Brad Edgerton to explain his “no” vote. He said that all areas have an impact and depletions occur outside the hydrologically connected area.

- **Procedures to Address Conflicts appendix**

- The group considered the original draft language from the binder (Attachment D) and the stakeholder-proposed revisions (Attachment H). Flaute summarized the differences between the two documents. Votes on this section are summarized in Table 6.

Table 6. Vote Details for the appendix of Procedures to Address Conflicts Resulting from Implementation of the Plan. All parties who were present and who voted are included in the count.

Plan Section Voted On	Specific Details Voted On	Vote Tally
Procedures to Address Conflicts appendix	Conflicts Procedures Vote 1: As shown in the stakeholder-suggested revisions handout (Attachment H).	23 for, 1 against (LRNRD), 1 abstain (CNPPID)
	Conflicts Procedures Vote 2: As shown in the stakeholder-suggested revisions handout (Attachment H), with the following modification: remove all references to “may include surface water project sponsors” throughout.	23 for, 1 against (Bill Hoyt), 1 abstain (CNPPID)

- Following Conflicts Procedures Vote 1, Scott Dicke (LRNRD), who voted “no,” expressed concern that listing “surface water project sponsors” as one specific

interest group to include in the process could imply that other interest groups are excluded. Dicke proposed voting on the same language, except with all references to “may include surface water project sponsors” throughout (i.e., Conflicts Procedures Vote 2).

- Following Conflicts Procedures Vote 2, Schellpeper asked Bill Hoyt to explain his “no” vote. Hoyt indicated that he thought Conflicts Procedures Vote 1 had passed, so he thought it should stay that way rather than considering a second option.
- Marcia Trompke, who abstained from most votes throughout the meeting on behalf of her employer, specified that her abstentions should be recorded in the minutes as “Central Nebraska Public Power and Irrigation District abstains”; therefore, her abstentions have been denoted throughout Tables 1-6 as “CNPPID.” She stated that CNPPID was abstaining in lieu of a “no” vote in order to keep the process moving forward.

3. PARKING LOT

- Throughout previous stakeholder meetings, when members of the group brought up topics that should be addressed, but best discussed at another time, they were written down, and added to the “Parking Lot” for future discussion. During this meeting, Schellpeper reviewed how each remaining item has been or will be addressed (Table 7).

Table 7. Parking lot summary.

Parking Lot Item remaining at the start of this meeting	How Schellpeper indicated it was or will be addressed
Dr. Goeke speaking to the group	Proposed making it a focus of upcoming annual meetings to decide whether we want to bring Dr. Goeke or another water resources specialist to present
Delineation of the basin-wide plan’s geographic area	Addressed at this meeting by discussion and vote on the Plan Area section of the plan
Definition of sustainability	Addressed at a previous meeting by developing a mission and vision for the plan, which define the group’s concept of sustainability

- Dr. Goeke speaking to the group: Schellpeper proposed bringing a hydrologist or other water resources specialist to speak at the first annual meeting
- Delineation of the basin-wide plan’s geographic area: Schellpeper stated that this had been checked off following discussion and voting on the Plan Area
- Definition of sustainability: Schellpeper proposed that the Plan mission and vision met this topic.

4. PUBLIC COMMENT

No public comments

5. STAKEHOLDER COMMENT

There were no stakeholder comments

6. NEXT MEETING

- On behalf of the entire basin-wide plan development team, including the four NRDs and NeDNR, Schellpeper thanked the stakeholders for attending and participating in this process. This was the final meeting of the Republican River Basin-Wide Plan Stakeholder Advisory Committee.
- Schellpeper reviewed the plan's next steps, which include NeDNR and the NRDs reaching agreement on the plan and holding public hearings on the agreed-upon plan. She reminded stakeholders that they can provide testimony at the public hearings.

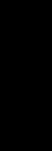
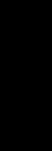
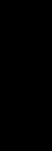
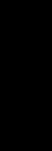
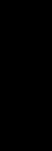
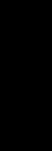
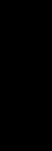
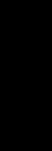
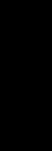
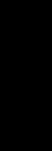
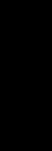
Project Website = <http://rrbwp.nebraska.gov/>

Attachment A – Sign-in Sheets

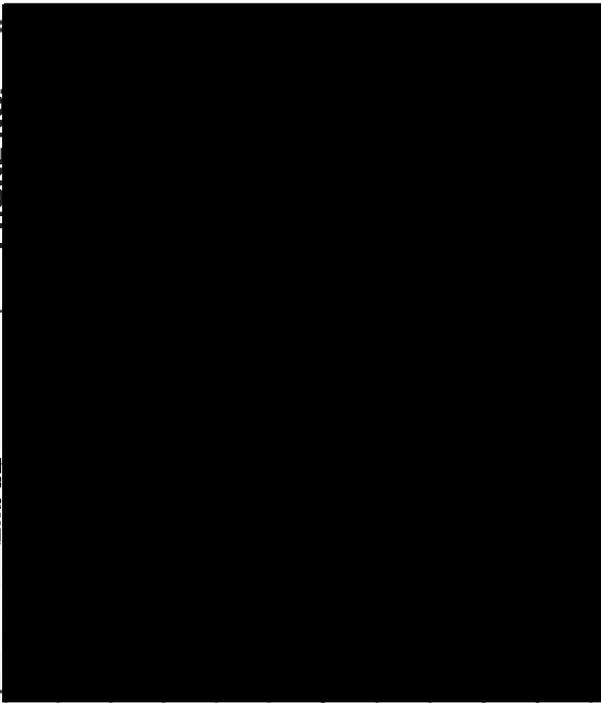
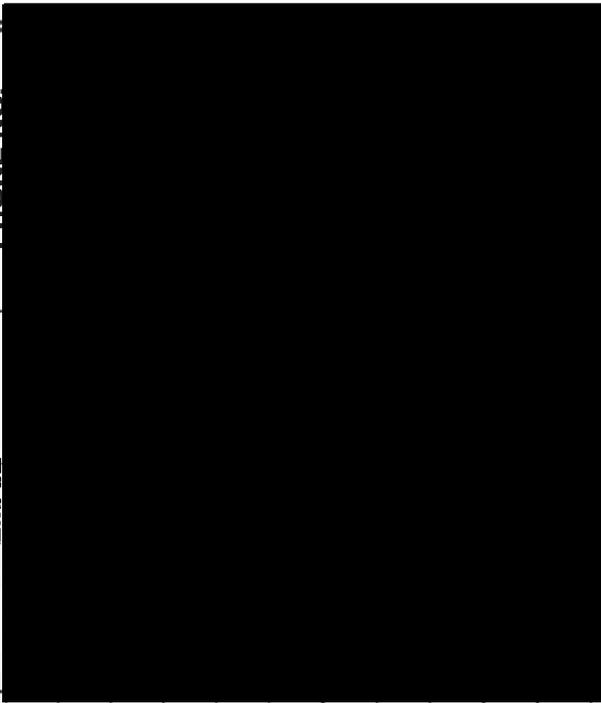
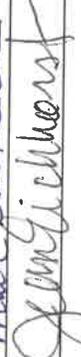
STAKEHOLDER ATTENDANCE RECORD
Republican River Basin-Wide Plan
June 26, 2018 | 10:00 AM
Community Center – Cambridge, NE

NAME	SIGNATURE	EMAIL	PHONE NO.
Jared Baker			
Kurt Bernhardt			
Brad Edgerton			
Jerry Ehrke			
Chris Flaming			
Troy Fletcher			
Josh Friesen			
Mike George			
Wayne Haarberg			
Dale Helms			
Dick Helms			
Bill Hoyt			
Michael J. Kahrs			
Max Kaiser			
Curtis Kayton			
Jim Kent			
Bradly Knuth			
Jerry Kuenning			

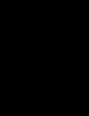
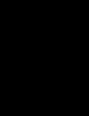
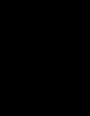
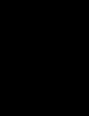
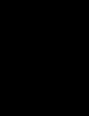
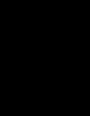
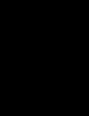
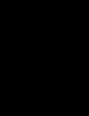
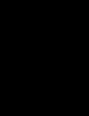
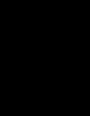
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NAME	SIGNATURE	EMAIL	PHONE NO.
Kent Lorens		[REDACTED]	[REDACTED]
Jeff Loschen		[REDACTED]	[REDACTED]
Gale Lush		[REDACTED]	[REDACTED]
Scott Lutz		[REDACTED]	[REDACTED]
Timothy McCoy		[REDACTED]	[REDACTED]
Cedric McDaniel		[REDACTED]	[REDACTED]
Ross Montgomery		[REDACTED]	[REDACTED]
Dan Nelsen		[REDACTED]	[REDACTED]
Dave Oxford		[REDACTED]	[REDACTED]
Roric Paulman		[REDACTED]	[REDACTED]
John Rundel		[REDACTED]	[REDACTED]
Nate Schneider		[REDACTED]	[REDACTED]
George Schortberger		[REDACTED]	[REDACTED]
Richard Siel		[REDACTED]	[REDACTED]
Kevin Slocum		[REDACTED]	[REDACTED]
Steve Smith		[REDACTED]	[REDACTED]
Daniel Smith		[REDACTED]	[REDACTED]
Shad Stamm		[REDACTED]	[REDACTED]
Aaron Thompson		[REDACTED]	[REDACTED]

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NAME	SIGNATURE	EMAIL	PHONE NO.
Ted Tietjen			
Marcia Trompke			
Dack Vesta			
Jerda Garey Vickers			
Tom Vickers			
Todd Watson			
	PUBLIC		
			
			
			

STAKEHOLDER ATTENDANCE RECORD
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NAME	SIGNATURE	AGENCY	EMAIL	PHONE NO
John Thorburn		Tri-Basin NRD	[REDACTED]	[REDACTED]
Ray Winz		Tri-Basin NRD	[REDACTED]	[REDACTED]
Todd Siel		Lower Rep NRD	[REDACTED]	[REDACTED]
Scott Dicke		Lower Rep NRD	[REDACTED]	[REDACTED]
Sylvia Johnson		Middle Rep NRD	[REDACTED]	[REDACTED]
Jack Russell		Middle Rep NRD	[REDACTED]	[REDACTED]
Nate Jenkins		Upper Rep NRD	[REDACTED]	[REDACTED]
Jasper Fanning		Upper Rep NRD	[REDACTED]	[REDACTED]
Carol Flaute		NDNR	[REDACTED]	[REDACTED]
Jennifer Schellpeper		NDNR	[REDACTED]	[REDACTED]
Amy Zoller		NDNR	[REDACTED]	[REDACTED]
Jeff Fassett		NDNR	[REDACTED]	[REDACTED]
Tatiana Height		NDNR	[REDACTED]	[REDACTED]
Beth Eckles		NDNR	[REDACTED]	[REDACTED]
Shea Winkler		NDNR	[REDACTED]	[REDACTED]
Brian Harmon		NDNR	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]

Attachment B – Draft Plan Schedule

4. Plan Implementation Schedule

Section Overview

As required by *Neb. Rev. Stat. § 46-755 (5)(b)*, the Republican River Basin-Wide Plan (Plan) includes a schedule indicating the end date by which the goals and objectives are to be achieved and the management actions to be taken to achieve the goals and objectives. The Plan's goals, objectives and action items are described in detail with the "Goals and Objectives" section (page [#]). Tables 4.1 through 4.4 in this Plan Implementation Schedule section specify a schedule for each action item.

Neb. Rev. Stat. § 46-755 (5)(b) also requires that the Plan include measurable hydrologic objectives (MHOs) to help assess whether reasonable progress has been made towards the Plan's goals and objectives. The MHOs will be evaluated as described under "Evaluation of Progress" (page [#]). The Plan's MHOs are listed under Action Item 1.3.2 in Table 4.1.

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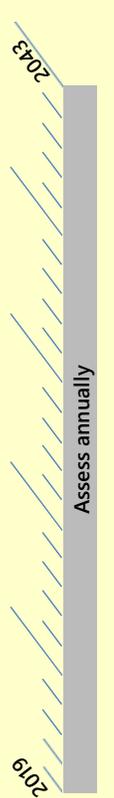
Table 4.1. Implementation schedule for Goal 1. Additional details about Goal 1 and its objectives and action items are described beginning on page [##]. The Plan's MHOs ("Measurable Hydrologic Objectives," page [##]) are included in this table as part of Action Item 1.3.2 and are indicated by a yellow background.

Goal 1: Maintain Nebraska's compliance with the Republican River Compact and applicable state laws		
Objective	Plan language	Years in which addressed
Coordinate basin-wide plan management actions with Nebraska's Compact compliance efforts and adherence to applicable state laws		
1.1.	Action items	
	1.1.1. Review each basin-wide plan management action prior to implementation to ensure it does not negatively impact efforts to achieve Compact compliance in the most efficient and cost-effective way practicable while adhering to state laws	2018* When appropriate 2044**
	1.1.2. Implement appropriate offsets for any basin-wide plan action that would exceed Nebraska's allocation under the Compact	2018* When appropriate 2044**
1.2.	Understand the effects of management actions for Compact compliance on water supplies for Nebraska's water users	
	Action item	
	1.2.1. Qualitatively evaluate the net effect on water supplies of any management actions that are taken for Compact compliance	2019 Annually when appropriate 2043
1.3.	Assess progress toward meeting the goals and objectives of the Plan, and share the results of this assessment with the Public and the Nebraska Legislature	
	Action items	
	1.3.1. Within five years after the adoption of this Plan, and every five years thereafter, conduct a technical analysis of the actions taken to determine the progress toward meeting the goals and objectives of the Plan	2023 Every 5 years 2028 2033 2038 2043

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page [##])
** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page [##])
(continued on next page)

(Table 4.1, continued from previous page)

Goal 1: Maintain Nebraska's compliance with the Republican River Compact and applicable state laws		<i>Years in which addressed</i>
Objective	Plan language	
1.3.	1.3.2.	As indicated for each MHO, below
	<i>Measurable Hydrologic Objectives</i>	<p>MHO A: Maintain each NRD's net groundwater depletions to streamflow within its portion of Nebraska's allowable groundwater depletions to streamflow</p> <p>Assessment: For the previous Compact averaging period (2 or 5 years, as determined by Compact accounting procedures), has each NRD's groundwater net depletions to streamflow for the RRCA model area, remained within its portion of Nebraska's allowable groundwater depletions to streamflow, as specified in the IMPs?</p> <p>MHO is being achieved: if assessment results in "yes" for NRDs</p>



(continued on next page)

(Table 4.1, continued from previous page)

Goal 1: Maintain Nebraska's compliance with the Republican River Compact and applicable state laws	
Objective	Plan language
1.3.	Years in which addressed
Action items	
Measurable Hydrologic Objectives	
<p>MHO B: Limit net groundwater depletions to streamflow to a relatively constant level over the long-term both across the basin as a whole and within each NRD</p> <p>Assessment: Understanding that interannual variability will continue as it has in the past, have trends in the overall average condition of long-term groundwater depletions to streamflow for the RRCA model area remained relatively constant over typical wet and dry cycles (approximately 12 years)?</p> <p>MHO is being achieved: if assessment results in "yes" for the Basin and for all NRDs</p>	

(continued on next page)

(Table 4.1, continued from previous page)

Goal 1: Maintain Nebraska's compliance with the Republican River Compact and applicable state laws		Years in which addressed
Objective	Plan language	
1.3.		
	Action items	
	Measurable Hydrologic Objectives	
	<p>MHO C: Ensure there is always enough groundwater for all groundwater uses within the timeframe of this plan, either by stabilizing groundwater levels or managing declining groundwater levels</p> <p>Assessment: Understanding that interannual variability will continue as it has in the past, is one of the following conditions true for each NRD, either:</p> <ul style="list-style-type: none"> (a) that trends in long-term average groundwater levels have remained approximately constant over a typical wet and dry cycle (approximately 12 years), or (b) that they are declining at a rate such that at the end of the 25-year Plan period, groundwater modeling of the remaining aquifer saturated thickness within the hydrologically connected area (estimated as the average modeled saturated thickness for the years 2038 through 2049) indicates sufficient amounts of water exist to allow for crop irrigation, municipal, and industrial uses of groundwater? <p>MHO is being achieved: if assessment results in "yes" for all NRDs</p>	

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(Table 4.1, continued from previous page)

Objective		Plan language		Years in which addressed	
Goal 1: Maintain Nebraska's compliance with the Republican River Compact and applicable state laws					
1.3.	Action items				
	Measurable Hydrologic Objectives				
	<p>MHO D: Continue existing and initiate new actions that reduce the need for special regulations in the Rapid Response Area for Compact compliance</p> <p>Assessment: During the previous year, has groundwater pumping within the Rapid Response Area of any NRD been curtailed to ensure Compact compliance?</p> <p>MHO is being achieved: if assessment results in "no" for all NRDs</p>				
	<p>MHO E: Continue existing and initiate new actions that reduce the need for administration of surface water use for Compact compliance</p> <p>Assessment: During the previous year, has surface water use within the Basin been administered to reduce surface water use to ensure Compact compliance?</p> <p>MHO is being achieved: if assessment results in "no"</p>				

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(Table 4.1, continued from previous page)

Goal 1: Maintain Nebraska's compliance with the Republican River Compact and applicable state laws		Years in which addressed	
Objective	Plan language		
1.3.	1.3.3. Following each five-year technical analysis (Action Item 1.3.1), share the results of the analysis and any recommended Plan modifications with the public	2023 2028 2033 2038 2043	Every 5 years
	1.3.4. Following each five-year technical analysis (Action Item 1.3.1) and any resulting modifications to the Plan, submit a report to the Legislature of the results of the analysis and progress made under the Plan	2024 2029 2034 2039 2044**	Every 5 years

** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page 7(#))

Table 4.2. Implementation schedule for Goal 2. Additional details about Goal 2 and its objectives and action items are described beginning on page [#].

Goal 2: Maximize Nebraska's efficient and beneficial consumptive use of its portion of the water supply, increase certainty for long-range planning of water supplies to reduce the need for regulatory actions, and increase collaborative efforts among water management entities and stakeholders across the Basin		
Objective	Plan language	Years in which addressed
Understand the feasibility and potential impacts of Plan actions and establish a standard procedure for projects		
2.1.	2.1.1. For each planned new water management project in the Plan, evaluate hydrologic and regulatory feasibility and potential economic and environmental impacts	
	2.1.2. For each project evaluated in accordance with Action Item 2.1.1 in a given year, include a summary of the evaluation in the Annual Report of that year's activities	
	2.1.3. For projects that are feasible and beneficial, apply for necessary permits, establish new or utilize existing infrastructure, then begin operations	
Improve the efficiency of use, availability, and reliability of water supplies for current irrigators		
2.2.	Action items	
	2.2.1. Work with irrigation districts and individual groundwater and surface water irrigators to improve the efficiency of the Basin's surface water delivery systems and irrigation water use, when it is both feasible and beneficial to Nebraska's Compact accounting balance	

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page [#])
 ** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page [#])
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Goal 2: Maximize Nebraska's efficient and beneficial consumptive use of its portion of the water supply, increase certainty for long-range planning of water supplies to reduce the need for regulatory actions, and increase collaborative efforts among water management entities and stakeholders across the Basin		<i>Years in which addressed</i>
<i>Objective</i>	<i>Plan language</i>	
2.2.	Action items	
	Participate in projects to improve the reliability, availability, and sustainability of water supplies in the Basin, which may include but are not limited to: <ul style="list-style-type: none"> a. Voluntary reduction of irrigated acres (temporary or permanent) b. Interbasin transfers c. Conjunctive management projects such as aquifer recharge or streamflow augmentation 	
2.3.	Provide opportunities for collaboration among the Basin's water users	
	Action items	
	Hold an annual public meeting to discuss Plan implementation and exchange information about the Basin	
	Work cooperatively to investigate and address conflicts between water users resulting from implementation of this Plan by following the procedures for addressing conflicts that are outlined in this Plan	

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page [#])
 *** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page [#])

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Goal 2: Maximize Nebraska's efficient and beneficial consumptive use of its portion of the water supply, increase certainty for long-range planning of water supplies to reduce the need for regulatory actions, and increase collaborative efforts among water management entities and stakeholders across the Basin			
Objective	Plan language	Years in which addressed	
2.4.	Promote conservation programs available to the water users in the Basin		
		Action items	
		2.4.1.	Work together to identify, investigate, and discuss existing and potential new water conservation programs 2019 Annually 2043
		2.4.2.	Collaborate to promote conservation program opportunities to the Basin's water users 2018* When appropriate 2044**
2.5.	Understand how various water management activities of independent decision-makers affect water supplies		
		Action items	
		2.5.1.	Study the effects of conservation practices on streamflow, if feasible 2018* By 2028 2028
		2.5.2.	Periodically analyze the future impacts to streamflow of past pumping to determine the lag time of these residual impacts 2018* When appropriate 2044**

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page f#)
** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page f#)

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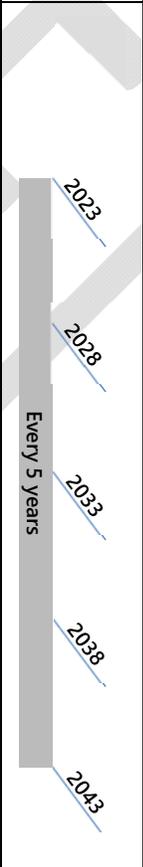
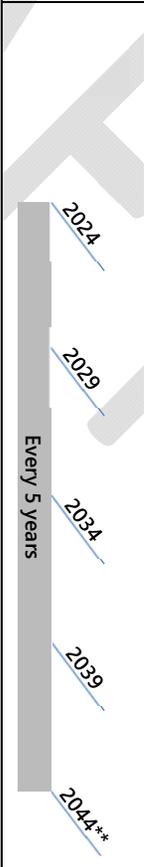
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Goal 2: Maximize Nebraska's efficient and beneficial consumptive use of its portion of the water supply, increase certainty for long-range planning of water supplies to reduce the need for regulatory actions, and increase collaborative efforts among water management entities and stakeholders across the Basin		<i>Years in which addressed</i>
<i>Objective</i>	<i>Plan language</i>	
2.5.	Action items	2018* By 2028 2028
	2.5.3.	
Evaluate the feasibility and potential outcomes of establishing water markets in the Basin		
2.6.	Action items	2018* By 2023 2023
	2.6.1.	
	2.6.2.	2019 After 2.6.1, by 2028 2028

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page (#)) (continued on next page)

(Table 4.2, continued from previous page)

Goal 2: Maximize Nebraska's efficient and beneficial consumptive use of its portion of the water supply, increase certainty for long-range planning of water supplies to reduce the need for regulatory actions, and increase collaborative efforts among water management entities and stakeholders across the Basin

Objective	Plan language	Years in which addressed
2.7.	Support the NRDs in management of allocations for irrigation purposes and surface water irrigation districts in management of the allotment of their water supply	
		<p>2.7.1. Periodically evaluate, as part of each five-year technical review, the impact of the groundwater allocation and surface water allotment systems as a whole</p> 
		<p>2.7.2. As needed, based on the evaluation described in Objective 2.7.1, recommend changes or improvements to the groundwater allocation and/or surface water allotment systems</p> 
2.8.	Conserve water for future use during a drought	
		<p>2.8.1. Organize and participate in a basin-wide drought planning exercise</p> 
		<p>2.8.2. Following the drought planning exercise (Objective 2.8.1) evaluate whether to recommend any changes to the IMPs or this Plan related to conservation of water for future use during a drought</p> 

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page (#))
 ** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page (#))

Table 4.3. Implementation schedule for Goal 3. Additional details about Goal 3 and its objectives and action items are described beginning on page [#].

Goal 3: Positive public relations, including information sharing, within and outside the Basin		<i>Years in which addressed</i>
Objective	Plan Language	
3.1.	Improve information sharing with decision-makers and the public about solutions formed within the Basin	
	3.1.1. Use existing resources to share information about Basin progress and activities with outside entities	2018* When appropriate 2044**
	3.1.2. Educate civic leaders and the public on implementation efforts within the Basin	2018* When appropriate 2044**
	3.1.3. Educate civic leaders and the public about the policies and institutional infrastructure that contribute to the development and implementation of solutions	2018* When appropriate 2044**
	3.1.4. Propose and support changes to laws, policies, and rules that would incentivize reduced water consumption	2018* When appropriate 2044**
3.2.	Improve information sharing with water users who are reliant on the Basin's water supplies	
	3.2.1. Share data and information related to the Republican River Compact with the public in an easily accessible, user-friendly format	2019 Annually 2043
	3.2.2. Annually prepare and exchange reports containing data and information about water supplies and uses in the Basin, and make these reports publicly accessible	2019 Annually 2043

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page [#])

** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page [#])

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(Table 4.3, continued from previous page)

Objective		Plan language		Years in which addressed	
Goal 3: Positive public relations, including information sharing, within and outside the Basin					
3.2.	Action items				
	3.2.3.	Regularly communicate with the Plan's Stakeholder Advisory Committee about implementation progress and potential Plan revisions	2019	Annually	2043
	3.2.4.	Encourage and support water users to share information about their management practice improvements with other water users and the public	2019	Annually	2043



Table 4.4. Implementation schedule for Goal 4. Additional details about Goal 4 and its objectives and action items are described beginning on page [#].

Goal 4: When possible, pursue projects that not only benefit water supplies and uses, but also create benefits for fish, wildlife, recreation, and conveyance within the Republican River Basin		<i>Years in which addressed</i>
<i>Objective</i>	<i>Plan language</i>	
4.1.	Where feasible and beneficial, protect and enhance fish and wildlife habitat and public outdoor recreational opportunities	
	Action items	
	4.1.1. Partner with wildlife-focused organizations on projects that benefit the organizations' habitat and wildlife interests while also helping to fulfill other goals of this Plan	When appropriate 2018* / 2044**
	4.1.2. Promote public recreation on the river, when doing so can also help to fulfill other goals of this Plan	When appropriate 2018* / 2044**
	4.1.3. Cooperate in projects to assess and restore riparian wetlands while also helping to fulfill other goals of this Plan	When appropriate 2018* / 2044**
4.2.	Where feasible and beneficial, reduce the effects of undesirable vegetation on water conveyance	
	Action	
	4.2.1. Cooperate in removing undesirable vegetation impacting water conveyance and managing reinfestation	When appropriate 2018* / 2044**

* From the effective date of this Plan ("Effective Date and Time Frame of the Plan," page [#])

** All Plan actions must be completed no later than April 17, 2044 ("Effective Date and Time Frame of the Plan," page [#])

Attachment C – Draft Plan Area

6. Plan Area

Section Overview

This section describes the geographic area to which the Republican River Basin-Wide Plan (Plan) applies.

Plan Area

The Plan will examine and make recommendations for the entire Republican River Basin. Surface water funding and studies may apply specifically to the hydrologically connected area for surface water. Groundwater funding and studies may apply specifically to the hydrologically connected area for groundwater, the extent

of which is defined by the Nebraska Department of Natural Resources (as shown in Figure 6.1). If future revisions to the Plan include the addition of controls, the geographic areas described above would also apply to those controls.

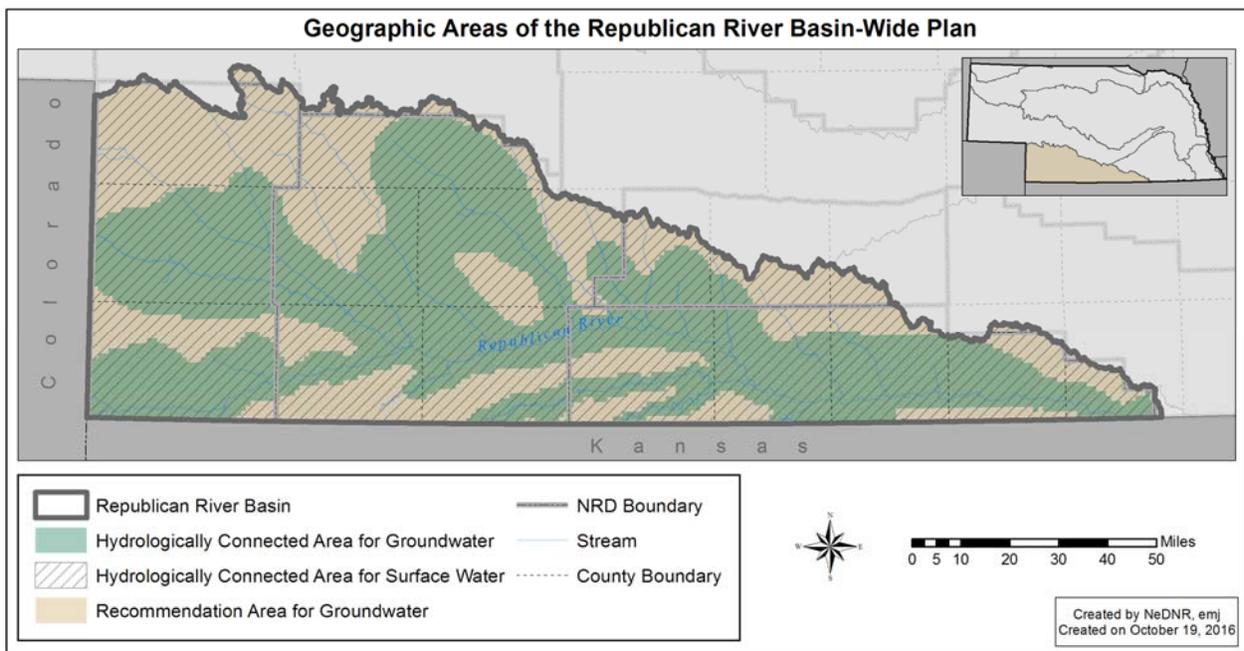


Figure 6.1. Geographic areas to which Plan actions related to groundwater and surface water apply.

Attachment D – Draft Appendix: Procedures for Addressing Conflicts

Appendix E. Procedures for Addressing Conflicts Resulting from Implementation of the Republican River Basin-Wide Plan

Section Overview

This document establishes procedures for addressing conflicts that arise among water users within the Republican River Basin of Nebraska (Basin) and that result from implementation of the Republican River Basin-Wide Plan (Plan). This appendix lists the procedures and describes their purpose and exclusions to them.

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Address conflicts.....	4

Purpose

This document establishes procedures for addressing conflicts that arise among water users within the Republican River Basin of Nebraska (Basin) and that result from implementation of the Republican River Basin-Wide Plan (Plan).

The Nebraska Department of Natural Resources (NeDNR), the Basin's natural resources districts (NRDs), and members of the Plan's Stakeholder Advisory Committee want to maintain local control over water management in the Basin to the extent possible. These procedures provide an opportunity to attempt to address certain conflicts locally, before resorting to lawsuits,

the Interrelated Water Review Board, or other external conflict resolution processes.

In addition, including procedures to address conflicts as part of the Plan is consistent with the legislative intent of the Nebraska Ground Water Management and Protection Act:

All involved natural resources districts, the department, and surface water project sponsors should cooperate and collaborate on the identification and implementation of management solutions to conflicts between ground water users and surface water appropriators or to water supply

shortages in fully appropriated or overappropriated river basins, subbasins, and reaches (*Neb. Rev. Stat. § 46-703 (6)*).

This process might result in NeDNR and the NRDs deciding that revisions to the Plan are necessary, as described in further detail in the procedures below.

Exclusions

These procedures apply only to conflicts that result from implementation of the Plan.

limited to the statutory authorities of NeDNR and the NRDs.

These procedures will not be used to readdress prior conflicts that have already been litigated or addressed through other conflict resolution procedures.

These procedures do not apply to disagreements among NeDNR and the NRDs. *Neb. Rev. Stat. § 46-755 (f)* specifies that NeDNR and the NRDs may utilize the Interrelated Water Review Board process described in *Neb. Rev. Stat. § 46-719* for disputes arising from developing and implementing this Plan.

The extent to which NeDNR and the NRDs can address conflicts via these procedures is

Overview

These conflict resolution procedures can be summarized as:

1. Initiate process
2. Investigate conflicts
3. Address conflicts

The procedures for each of these steps are described in detail below.

Procedures

1. *Initiate process*

- a. Any of the Basin's water users may initiate this process by sending a written request to NeDNR or one of the NRDs. The request must be received by NeDNR or an NRD at least 60 days before an annual meeting in order to be placed on the agenda at that annual meeting ("Annual Meeting," page [#]).
- b. In their written request, the water user(s) initiating this process (requestor(s)) must include the following items:

- i. A description of the conflict
 - ii. A request to discuss their issues and concerns related to the conflict at the annual meeting
 - iii. An explanation of why they believe the conflict has resulted from implementation of the Plan
 - iv. Their proposed solution to the conflict
 - v. Whether they know of any potential adverse impacts to other water users that might result from their proposed solution, and if so, what those potential adverse impacts are
- c. If NeDNR and the NRDs determine that any of the required items listed in 1.b. above are missing from the written request, they will send the incomplete request back to the requestor(s) with a list of which required item(s) are missing. Returning an incomplete request to the requestor(s) will terminate these procedures, until and unless the requestor(s) submit a revised request that includes all required items.
 - d. If NeDNR and the NRDs determine that all of the required items listed in 1.b. are included sufficiently within the written request, they will proceed to the next step.
 - e. Following this written request, and prior to the annual meeting, NeDNR and the NRDs will review the request to determine whether the conflict identified meets the criteria for consideration under these procedures: that it has resulted from implementation of the Plan, and that none of the stated exclusions apply.
 - f. Requestor(s) will receive a written response from NeDNR and the NRDs to notify them about whether their issue meets criteria for consideration at the upcoming annual meeting.
 - g. Any written requests that have been made at least 60 days prior to the annual meeting will be posted to the website for the Plan before the meeting. In addition, NeDNR and the NRDs may use additional methods to notify other users potentially affected by the conflict or proposed solution about the upcoming discussion.

2. Investigate conflicts

- a. During the annual meeting, the requestor(s) may present information about their conflict or issue. In addition, other water users that would be affected by the proposed solution may present information about potential adverse impacts to them.
- b. Following the annual meeting, NeDNR and the NRDs will evaluate the conflict and potential solutions. The potential adverse hydrologic, economic, and environmental impacts of any proposed change will be weighed against its potential beneficial hydrologic, economic, or environmental impacts under the 25-

year time frame of the Plan. The wishes expressed by the Plan's Stakeholder Advisory Committee during Plan development will also be taken into account during this evaluation.

- c. On a case-by-case basis, NeDNR and the NRDs may decide that a conflict should be evaluated by a subset of NeDNR and the NRDs. For example, location-specific conflicts might be evaluated by only NeDNR and the affected NRD(s), conflicts among only surface water users might be evaluated by only NeDNR, or conflicts among only groundwater users might be evaluated by only the NRDs.

3. *Address conflicts*

- a. Following evaluation of the conflict, NeDNR and the NRDs will decide how to address the conflict identified. They may decide that no change or action is necessary. If they decide that a change or action is necessary, they are not limited to the proposed solution from the initial written request.
- b. NeDNR and the NRDs will submit to the requestor(s) a written description of how the conflict will be addressed.
- c. If NeDNR and the NRDs determine, as a result of these procedures, that modifications to the Plan are needed to meet the goals and objectives of the Plan, modifications will be made following the established plan modification procedures ("Modifications to the Plan," page [#]).

Attachment E – Meeting Agenda

Republican River Basin-Wide Plan Stakeholder Advisory Committee Meeting Agenda

*Tuesday, June 26, 2018, 10:00 AM – 2:00 PM
Cambridge Community Center, 722 Patterson Avenue, Cambridge, Nebraska*

Meeting Objective

At this meeting, **stakeholders will discuss and vote on drafts of all remaining sections of the Plan**

1. Welcome

2. Draft Plan Language

1. Plan Implementation Schedule
2. Plan Area
3. Appendix: Procedures for Addressing Conflicts Resulting from Implementation of the Republican River Basin-Wide Plan

Working Lunch – 12:00 to 12:30

(Lunch is provided for Stakeholder Advisory Committee, NeDNR, NRD, and Consultant Staff only)

3. Parking Lot

4. Public Comment

5. Next Meeting

- a. This is the last Stakeholder Advisory Committee Meeting for the Republican River Basin-Wide Plan

Project Website = <https://rrbwp.nebraska.gov/>

Attachment F – Stakeholder Proposed Changes to MHOs

MHO B: Limit groundwater depletions to streamflow to a relatively constant level over the long-term, both across the Basin as a whole and within each NRD.¹



Assessment: Did average groundwater depletions to streamflow during the analysis period exceed average groundwater depletions to streamflow during the baseline period? For this assessment, annual depletions may be weighted or adjusted to account for variations in hydrologic condition. For the purposes of this assessment:

- "Hydrologic condition" refers to whether each year was wet, dry, or normal,
- "Analysis period" refers to a period representing the five years preceding each assessment, and
- "Baseline period" refers to a period representing the years preceding the start of Plan implementation.

Results:

	This MHO is being achieved for an NRD or for the Basin if the average groundwater depletions to streamflow for the analysis period for that NRD or Basin <u>were not higher ($\alpha = 0.05$)²</u> than average groundwater depletions to streamflow for the baseline period.
	Caution. If the average groundwater depletions to streamflow for the analysis period for an NRD or for the Basin <u>were higher at $\alpha = 0.05$ but were not higher at $\alpha = 0.1$</u> than average groundwater depletions to streamflow for the baseline period, NeDNR and the affected NRDs will consider possible management actions to prevent future non-compliance.
	This MHO is not being achieved for an NRD or for the Basin if the average groundwater depletions to streamflow for the analysis period for that NRD or Basin <u>were significantly higher ($\alpha = 0.1$)</u> than average groundwater depletions to streamflow for the baseline period. NeDNR and the NRDs will follow the procedures described under "Process if MHO is Not Being Achieved," (page [#]).

¹ For the purposes of MHO B, depletions to streamflow for Tri-Basin NRD and for the Basin as a whole will be evaluated as the net of groundwater depletions to streamflow plus the mound credit.

² $\alpha = 0.05$ is a statistics industry standard, which means there is only a 5% chance the pattern seen is due to chance. Therefore, when the result of the tested data is less than 0.05, the industry deems this to be a change due to the variable of interest. Often, when the result is between 0.05 and 0.1, it is interpreted as unclear whether the effect was due to the variable of interest or not.

MHO C: Ensure there is enough groundwater for all groundwater uses within the timeframe of this Plan by stabilizing groundwater levels.



Assessment: The following two-part assessment of groundwater levels for each NRD will take place within the hydrologically connected area for groundwater, at the management scale identified by that NRD (for example, by square mile, township, county, or subbasin).

First, did average groundwater levels for the analysis period exceed average groundwater levels to streamflow for the baseline period? For this assessment, annual groundwater levels may be weighted or adjusted to account for variations in hydrologic condition. For the purposes of this assessment:

- "Hydrologic condition" refers to whether each year was wet, dry, or normal,
- "Analysis period" refers to a period representing the five years preceding each assessment, and
- "Baseline period" refers to a period representing the years preceding the start of Plan implementation.

Second, in areas for which the first assessment reveals a decline in groundwater levels, are groundwater levels declining at a rate such that groundwater modeling of the remaining aquifer saturated thickness indicates sufficient amounts of water are likely to exist to allow for crop irrigation, municipal, and industrial uses of groundwater at the end of the 25-year Plan period?

Results:

	This MHO is being achieved in areas where the average groundwater levels for the analysis period <u>were not lower</u> ($\alpha = 0.05$) than average groundwater levels for the baseline period.
	Caution. In areas where the first part of the assessment indicates a groundwater level decline ($\alpha = 0.05$) and groundwater modeling projects that sufficient amounts of groundwater <u>are likely to exist</u> for all groundwater uses at the end of the 25-year Plan period, NeDNR and the affected NRDs will consider possible management actions to prevent future non-compliance.
	This MHO is <u>not</u> being achieved in areas where the first part of the assessment indicates a groundwater level decline ($\alpha = 0.05$) and groundwater modeling projects that sufficient amounts of groundwater <u>are not likely to exist</u> for all groundwater uses at the end of the 25-year Plan period. NeDNR and the NRDs will follow the procedures described under "Process if MHO is Not Being Achieved," (page [#]).

Attachment G – Stakeholder Proposed Changes to Plan Area

6. Plan Area

Section Overview

This section describes the geographic area to which the Republican River Basin-Wide Plan (Plan) applies.

Plan Area

The Plan will examine and make recommendations for the entire Republican River Basin. Surface water funding and studies may apply specifically to the hydrologically connected area for surface water. Groundwater funding and studies may apply specifically to the hydrologically connected area for groundwater, the extent of which is defined by the Nebraska Department of Natural Resources (NeDNR)

(as shown in Figure 6.1). During the time frame of the Plan, it may become necessary to revise the extent of the area where groundwater funding and studies may apply to remain consistent with updates to the extent of the hydrologically connected area defined by NeDNR. If future revisions to the Plan include the addition of controls, the geographic areas described above would also apply to those controls.

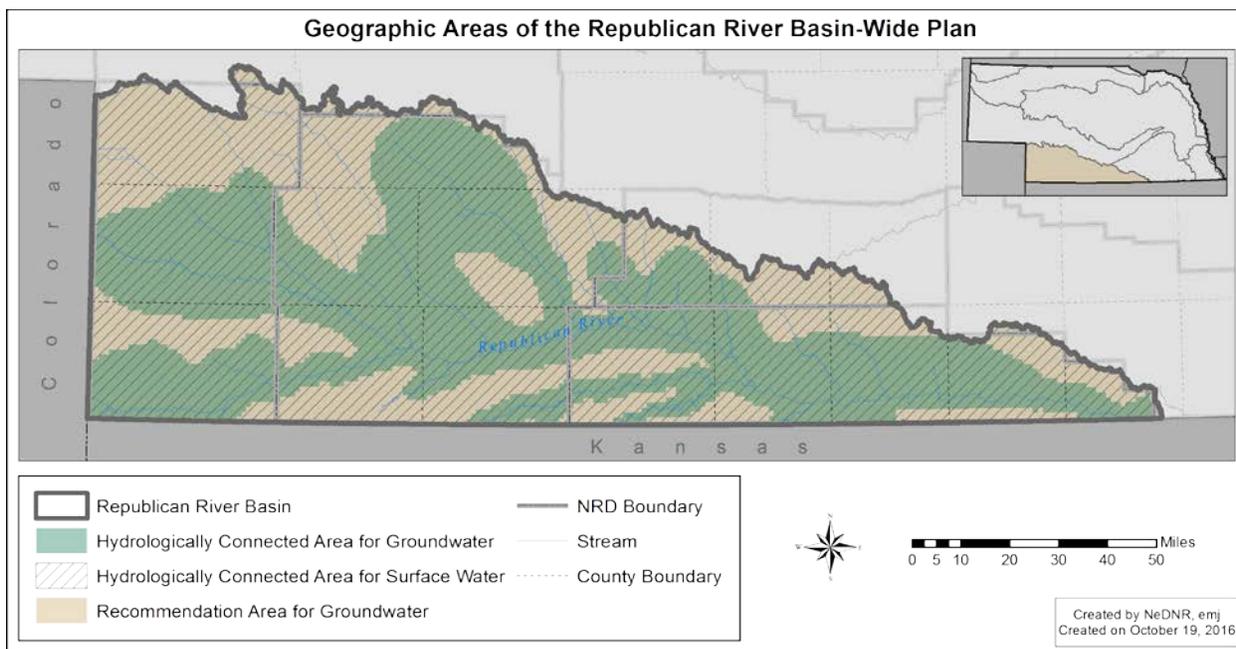


Figure 6.1. Geographic areas to which Plan actions related to groundwater and surface water apply. The hydrologically connected area for groundwater shown in this map is the area determined by NeDNR to be hydrologically connected according to NeDNR's 10-50 rule, as of the effective date of this plan.

Attachment H – Stakeholder Proposed Changes to Procedures for Addressing Conflicts

Appendix E. Procedures for Addressing Conflicts Resulting from Implementation of the Republican River Basin-Wide Plan

Section Overview

This document establishes procedures for addressing conflicts that arise among water users within the Republican River Basin of Nebraska (Basin) and that result from implementation of the Republican River Basin-Wide Plan (Plan). This appendix lists the procedures and describes their purpose and exclusions to them.

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Purpose

This document establishes procedures for addressing conflicts that arise among water users within the Republican River Basin of Nebraska (Basin) and that result from implementation of the Republican River Basin-Wide Plan (Plan).

The Nebraska Department of Natural Resources (NeDNR), the Basin's natural resources districts (NRDs), and members of the Plan's Stakeholder Advisory Committee want to maintain local control over water management in the Basin to the extent possible. These procedures provide an opportunity to attempt to address certain

conflicts locally, before resorting to lawsuits, the Interrelated Water Review Board, or other external conflict resolution processes.

In addition, including procedures to address conflicts as part of the Plan is consistent with the legislative intent of the Nebraska Ground Water Management and Protection Act:

All involved natural resources districts, the department, and surface water project sponsors should cooperate and collaborate on the identification and implementation of management solutions to conflicts between ground

water users and surface water appropriators or to water supply shortages in fully appropriated or overappropriated river basins, subbasins, and reaches (*Neb. Rev. Stat. § 46-703 (6)*).

This process might result in NeDNR and the NRDs deciding that revisions to the Plan are necessary, as described in further detail in the procedures below.

Exclusions

These procedures apply only to conflicts that result from implementation of the Plan.

limited to the statutory authorities of NeDNR and the NRDs.

These procedures will not be used to readdress prior conflicts that have already been litigated or addressed through other conflict resolution procedures.

These procedures do not apply to disagreements among NeDNR and the NRDs. *Neb. Rev. Stat. § 46-755 (f)* specifies that NeDNR and the NRDs may utilize the Interrelated Water Review Board process described in *Neb. Rev. Stat. § 46-719* for disputes arising from developing and implementing this Plan.

The extent to which NeDNR and the NRDs can address conflicts via these procedures is

Overview

These conflict resolution procedures can be summarized as:

1. Initiate process
2. Investigate conflicts
3. Address conflicts

The procedures for each of these steps are described in detail below.

Procedures

1. *Initiate process*

- a. Any of the Basin's water users may initiate this process by sending a written request to NeDNR or one of the NRDs. The request must be received by NeDNR or an NRD at least 60 days before an annual meeting in order to be placed on the agenda at that annual meeting ("Annual Meeting," page [#]).

- b. In their written request, the water user(s) initiating this process (requestor(s)) must include the following items:
- i. A description of the conflict
 - ii. A request to discuss their issues and concerns related to the conflict at the annual meeting
 - iii. An explanation of why they believe the conflict has resulted from implementation of the Plan
 - iv. Their proposed solution to the conflict
 - v. Whether they know of any potential adverse impacts to other water users that might result from their proposed solution, and if so, what those potential adverse impacts are
- c. If NeDNR ~~and~~with concurrence from the NRDs determines that any of the required items listed in 1.b. above are missing from the written request, they will send the incomplete request back to the requestor(s) with a list of which required item(s) are missing. Returning an incomplete request to the requestor(s) will terminate these procedures, until and unless the requestor(s) submit a revised request that includes all required items.
- d. If NeDNR ~~and~~with concurrence from the NRDs determines that all of the required items listed in 1.b. are included sufficiently within the written request, they will proceed to the next step.
- e. Following this written request, and prior to the annual meeting, NeDNR and the NRDs will review the request to determine whether the conflict identified meets the criteria for consideration under these procedures: that it has resulted from implementation of the Plan, and that none of the stated exclusions apply.
- f. Requestor(s) will receive a written response from NeDNR ~~and~~with concurrence from the NRDs to notify them about whether their issue meets criteria for consideration at the upcoming annual meeting. If NeDNR and the NRDs determine that the conflict or potential solutions may affect other water users, which may include surface water project sponsors, NeDNR and the NRDs will notify the affected water users of the written request and will request their participation in discussion of the conflict and potential solutions at the annual meeting.
- g. Any written requests that have been made at least 60 days prior to the annual meeting will be posted to the website for the Plan before the meeting. In addition, NeDNR and the NRDs may use additional methods to notify other users potentially affected by the conflict or proposed solution about the upcoming discussion.

2. Investigate conflicts

- a. During the annual meeting, the requestor(s) may present information about their conflict or issue. In addition, other water users that would be affected by the conflict or a potential solution~~proposed solution, which may include surface water project sponsors.~~ may present information about potential adverse impacts to them.

This review will include:

1. Review of the application materials and other relevant background information,
 2. Discussion and evaluation of the proposed solution, and
 - ~~1.3.~~ Discussion of other recommended solutions.
- b. Following the annual meeting, NeDNR and the NRDs will evaluate the conflict and potential solutions. The potential adverse hydrologic, economic, and environmental impacts of any proposed change will be weighed against its potential beneficial hydrologic, economic, or environmental impacts under the 25-year time frame of the Plan. The evaluation will include, but is not limited to, consideration of:
- i. ~~The wishes~~The input- previously provided~~expressed~~ by the Plan's former Stakeholder Advisory Committee during the initial Plan development process,
 - ii. Input provided during the annual meeting from all interested parties, which may include surface water project sponsors,~~will also be taken into account during this evaluation.~~
 - ~~i.iii.~~ Additional input from affected water users, surface water project sponsors, or other knowledgeable parties during continued discussion after the annual meeting, if such input is requested by NeDNR and the NRDs

On a case-by-case basis, NeDNR and the NRDs may decide that a conflict should be evaluated by a subset of NeDNR and the NRDs. For example, location-specific conflicts might be evaluated by only NeDNR and the affected NRD(s), conflicts among only surface water users might be evaluated by only NeDNR, or conflicts among only groundwater users might be evaluated by only the NRDs.

3. Address conflicts

- a. Following evaluation of the conflict, NeDNR and the NRDs will decide how to address the conflict identified. They may decide that no change or action is necessary. If they decide that a change or action is necessary, they are not limited to the proposed solution from the initial written request.
- b. NeDNR with concurrence of~~and~~ the NRDs will submit to the requestor(s) a written description of how the conflict will be addressed.
- c. If NeDNR and the NRDs determine, as a result of these procedures, that modifications to the Plan are needed to meet the goals and objectives of the Plan, modifications will be made following the established plan modification procedures ("Modifications to the Plan," page [#]).

Attachment I – Dissent Opinion Proposal

DRAFT

Group Decision Making Process Change – Providing for Formal, Written Dissent

Early on, this group decided to proceed in the decision-making process based on a consensus decision-making model. Consensus decision making is a creative and dynamic way of reaching agreement between all members of a group. Instead of simply voting for an item and following the majority's decision, a group using consensus is committed to finding solutions that everyone actively supports, or at least can live with. From the outset, this group has worked hard to ensure that all opinions, ideas, and concerns are taken into account. The whole group has worked hard at finding solutions that address everyone's concerns, rather than ignoring or overruling minority opinions.

So far, we have had many successes with the consensus approach; however, there are indications that some Plan issues may not receive support or "I can live with it" backing. In the event this occurs, the following suggestion is made so that all the good work done for the last three years will not be lost.

The Plan approval process would proceed on an informed-consent basis, while recording formal, written dissent in the Plan as a clearly identified appendix. Those wishing to provide formal, written dissent will:

1. Clearly identify the section, statement, and/or issue that is the subject of dissent,
2. Communicate the basis of the dissent, and
3. Provide alternative approaches as appropriate.