

Platte-Republican Diversion Sample Support Letter

_____, 2018

Mr. Gordon "Jeff" Fassett
NE Department of Natural Resources
POB 94676
Lincoln NE 68509-4676

Director Fassett,

I want to express my personal support for the water rights application submitted by Central NE Public Power and Irrigation District and the Platte-Republican Diversion project. To satisfy the requirements for a submitted written comment to be considered, I respectfully submit the required information as directed under the NDNR guidance document 'Opportunities for Participation in the Permitting Process' as required for input on behalf of the public interest review.

Application No: A-19594
Name
Address
Contact Information:

Comments are offered under Option 1

Written comments offered for the Public Interest review:

I believe that it is important to minimize waste of our precious water resources. Approval of the water right application submitted by the Platte-Republican diversion project is in the public's interest because utilizing excess Platte flows to help Nebraska maintain compliance with the Republican River Compact will be a great way to beneficially use water that would otherwise flow out of Nebraska into the Gulf of Mexico. Nebraskans have spent immense amounts of time and millions of dollars on maintaining Compact Compliance.

This project will also provide flood mitigation for the Platte Basin. As recently as 2015, flooding on the Platte resulted in substantial property damage and loss of lives.

Finally, trans-basin diversions were identified by a strong consensus of stakeholders in the Republican Basin integrated water management planning process as a preferred method for supplementing basin water supplies. The Platte-Republican Diversion project is consistent with that objective.

Sincerely,

From NDNR Guidance Document

Opportunities for Participation in the Permitting Process (Instructions for Responding to the Notice of Application)

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

Notice has been given by the Department of Natural Resources that an application for a permit for a surface water right has been filed with the Department. As a result, the public has two options to respond to the notice of an application having been filed. A person may either submit a comment (Option 1) or if a person has a sufficient interest, a person may submit a formal objection and request a hearing (Option2).

Option 1: Any person, without qualification, may provide the Department written comments on the application. No fee is required, but your written comments must include:

1. The application number to which you are commenting on
2. An indication that your comment is offered under Option 1
3. Your name, address, and contact information
4. Your written comments, which may include facts and/or information showing whether the proposed appropriation would be detrimental to the public welfare and whether denial is demanded by the public interest (See *Neb. Rev. Stat.* §§ 46-234 and 46-235)

Option 2: Only a person with a legal right or interest that may be affected by granting the application should utilize Option 2, which requires an objection and request for a hearing. Option 2 should not be used unless you intend to support your position at a formal hearing. Each person choosing Option 2 must submit their objection and hearing request in accordance to N.A.C. Title 454. A \$10 legal filing fee is required for each application to which an objection is made. In addition the following must be submitted for each objection:

1. The application number to which you are objecting
2. An indication that your objection is offered under Option 2
3. Your name, address, and contact information
4. A description of your legal right or interest that may be affected by granting the application
5. A written statement, including whatever facts you currently have, of how your legal right or interest may be affected by granting the application

Your complete response under Option 1 or Option 2 must be received by the date specified in the public notice at the following address:

Department of Natural Resources

PO Box 94676

Lincoln, Nebraska 68509-4676

Platte-Republican Diversion Project

The Platte-Republican Diversion Project will divert excess flows (streamflows above and beyond levels needed to fulfill existing water rights and instream target flows for endangered species) from the Platte River through the CNPPID canal system, and then discharge the flows into Turkey Creek, a tributary of the Republican River.



The upper end of Turkey Creek Canyon

The project at a glance:

The project is a collaborative effort of Lower Republican NRD (LRNRD), Tri-Basin NRD (TBNRD), and Central Nebraska Public Power and Irrigation District (CNPPID), with engineering permitting and design assistance from Olsson Associates.

Water will be diverted from the Platte at the Tri-County diversion dam east of North Platte. It will flow through the CNPPID Supply Canal, then into E-65 Canal. It will then be piped into Turkey Creek Canyon above the east branch of Turkey Creek, a tributary of the Republican River. The mouth of Turkey Creek is between Edison and Oxford, Nebraska. From there, water will flow down the Republican to Harlan County Lake.

Construction will commence after the Nebraska Department of Natural Resources issues a water right for the project, which is expected in 2018. Project construction is expected to last four months. The NRDs will be responsible for protecting and maintaining the Turkey Creek channel throughout the life of the project.



CENTRAL
Nebraska Public Power
and Irrigation District

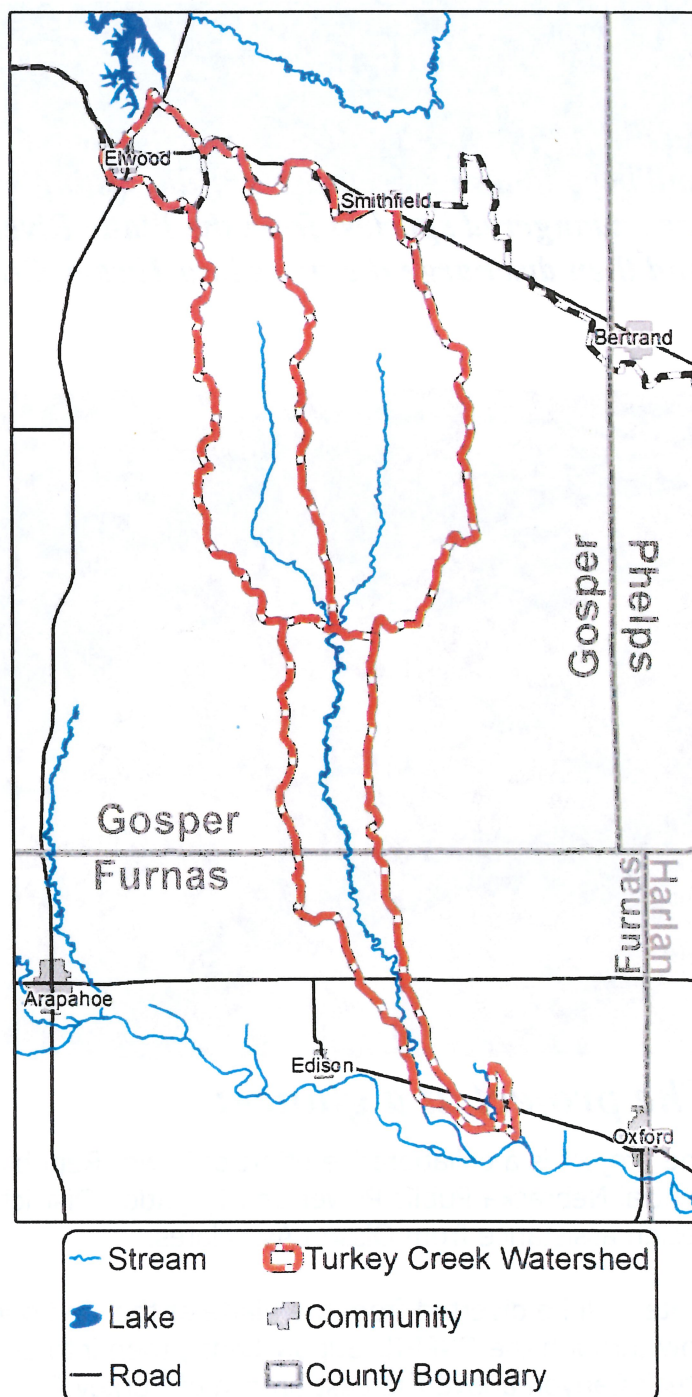


More specifics:

The water diverted will either soak into the ground, recharging groundwater supplies, or it will flow to Harlan County Lake, where it will help LRNRD and TBNRD meet requirements to offset the impacts of irrigation on Republican River flows. All water diverted will also help insure that the State of Nebraska meets requirements to comply with the Republican River compact. Ultimately, operation of this project protects irrigators in the Republican Basin in Nebraska from additional water use restrictions.

The project is designed to have a maximum diversion rate of 100 cubic feet per second (cfs), but that rate can only be sustained for a few days before the rate will be reduced to 50 to 60 cfs to prevent streambank erosion. Analysis of past Platte streamflow data indicates that the project will have water available for diversion four years out of ten, but water is needed in the Republican River only about half the time it is available from the Platte. When water is both available and needed, the project should be able to provide 2000 to 4000 acre-feet of water per year to augment the water supply of the Republican basin.

This project will only divert water from the Platte when flows are sufficient to supply all water rights in the Platte and when target flows for endangered species are met. Furthermore, the sponsors have agreed not to assert priority for their water right, after it is issued, over future water rights within the Platte Basin. Total project construction costs are estimated to be approximately \$1.5 million, which will be split between the two NRDs. The districts have received a grant of \$897,300 from the Nebraska Water Sustainability Fund to help pay project construction costs.



For more information on the Platte-Republican Diversion Project, contact

Lower Republican NRD • 308-928-2182 • www.lrnrd.org

Tri-Basin NRD • 308-995-6688 • www.tribasinnrdr.org

CNPPID • 308-995-8601 • www.cnppid.com