By Russ Pankonin
The Imperial Republican

When assessing how the Republican Basin could stay in compliance with the compact settlement, WaterClaim Director Steve Smith of Imperial suggested moving water from one area of the state to another.

His idea got the cold shoulder from state and local water officials as being both idiotic and unfeasible.

Now, it turns out Smith's idea wasn't as stupid, radical or impossible as people once thought.

While still on the drawing board, Smith's idea of augmenting stream flows in the Republican Basin now ranks as a key alternative to keep the basin in compliance with Kansas.

Managers and representatives of natural resources districts (NRDs) and irrigation districts in the basin met in Holdrege last week.

While the meeting focused on possible new regulations from the Department of Natural Resources (DNR), Jasper Fanning, manager of the Upper Republican NRD, provided an update of other compliance options.

Feasibility Study Looks Good

Fanning said augmentation still remains on the drawing board but noted the feasibility study showed good results.

Basically, augmentation uses the underground aquifer as a storage reservoir. When needed, water is withdrawn from wells and pumped into the river for delivery to Kansas.

He said more model runs by DNR are needed to evaluate where the best place to locate an augmentation well field.

The goal is to find a site where pumping has little or no effect on stream flows.

Other factors, such as offsets and water supply, also remain under study.

He said the goal of augmentation is to "keep everyone whole," with everyone getting paid for what they give up.

If strict regulations go into effect to stay in compliance, he said it's unlikely farmers affected will be reimbursed for shutting down wells near the river.

Little Blue Project Promising

Fanning said the basin NRDs are working closely with the Little Blue NRD for the possible acquisition of water.

The Army Corps of Engineers is planning to pump and clean contaminated water from below the old ammunition depot east of Hastings and release it into nearby streams.

The Republican Basin NRDs proposed reclaiming the treated water by building a pipeline from Hastings to the Republican River.

Fanning said this option is also under study but warned that a pipeline would cost approximately $1 million per mile.

Then, the question arises of using high capacity pumps and a pipeline to move the water or use low capacity pumps with storage units along the way.

Fanning said they believe a pipeline would be less expensive than adding a reservoir.

Funding Still An Issue

Funding an augmentation pro-ject or surface water purchase still remains a big obstacle in the way of a solution.

LB 701 created an additional 10-cent property tax levy and an occupation tax of up to $10 per

irrigated acre in the Basin.

The property tax failed to survive a test of constitutionality. A district court ruled the property tax applied to a closed class—only the Republican Basin—thus rendering it unconstitutional.

While the Nebraska Supreme Court did not rule on the closed class issue, they said the tax was unconstitutional because it was a local tax collected for a state purpose—staying in compliance.

Now, the occupation tax faces a similar challenge. It won't be heard until December. It could be months before a ruling is made by the district court.

Without funds to pay for compliance activities, Fanning said, the basin instead will likely face stricter regulation by DNR to keep the state in compliance.

Vegetation Control Working

Vegetation control on the Republican and Platte Rivers appears to be paying dividends, Sen. Tom Carlson of Holdrege said at last week's meeting.

Carlson got the bill passed in 2007 to provide $4 million in state funds for vegetation control in the stream beds of the basins.

Efforts this year to extend the program for another four years failed for lack of state funds.

Nonetheless, Carlson said the program is working and he will keep working to find funding.

"I know it's had an effect. I'm going to be bold and I'm going to tell you my estimate is that for 2008, we saved 60,000 acre feet of water in the Republican Basin because of removing vegetation," he said.

In Dundy County, two crews began removing Russian olive from the Republican stream bed.

After just two days of this work, the downstream crew found their equipment in the water on the third day, he said.

Nothing else had happened in between, Carlson noted. "That's evidence. We need to continue that work."