

6.0 LOWER NIOBRARA RIVER BASIN

6.1 Summary

Based on the analysis of the sufficiency of the long-term surface water supply in the Lower Niobrara River Basin, the Department has reached a preliminary conclusion that the basin is not fully appropriated. The analysis of lag effects of current development for the Lower Niobrara River Basin indicates a reduction in streamflows of 10 cfs in twenty-five years. The analysis of the impacts of future development on the Lower Niobrara River Basin based on current development trends indicates an additional reduction in streamflows of 103 cfs in twenty-five years. The future number of days available to junior irrigators was not estimated because no surface water administration has occurred on the Niobrara River in the past twenty years. Even though the future number of days available to junior irrigators was not estimated, the current number of days in which surface water was available for diversion far exceeds the number of days necessary to meet the net corn crop irrigation requirement (NCCIR).

6.2 Basin Description

The Lower Niobrara River Basin in Nebraska is defined in this report as the surface areas in Nebraska that drain into the Niobrara River Basin and that have not previously been determined to be fully appropriated. This general basin area extends from the Spencer Hydropower facility in the west downstream to the confluence of the Niobrara River and the Missouri River and includes all aquifers that impact surface water flows in the basin (figure 6-1). The total area of the Lower Niobrara River Basin evaluated in this year's report is approximately 1,200 square miles. The Lower Niobrara and the Upper Elkhorn NRDs are the only NRDs with significant area in the Lower Niobrara River Basin.

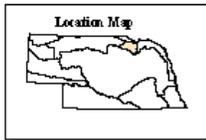


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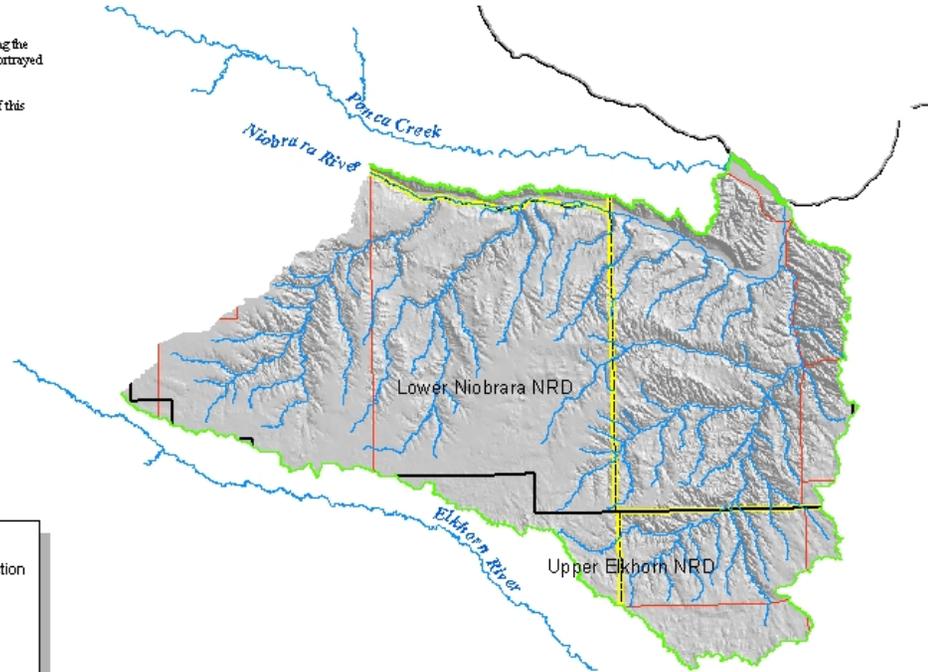
General Basin Map LOWER NIOBRARA RIVER SURFACE WATER BASIN



This map is intended to supply only general information concerning the matter stated in its title. Boundaries and the location of features portrayed on this map are not to be construed as legal boundaries or actual locations, and may change as additional or better data become available. User assumes all risks associated with interpretations of this map beyond its intended purpose.



- Explanation**
- gisbasedata.GISWRITER.NE_Streams selection
 - Lower_Niobrara_Data_Mask
 - Downstream_streams
 - NRD Boundary
- Cultural Features**
- County Boundary
 - State Boundary
 - Highways



Base map produced by Kevin Schwartzman, April 27, 2006
Base map to be approved June 1, 2006
General basin map produced by Kevin Schwartzman, June 24, 2008

Figure 6-1. General basin map, Lower Niobrara River Basin.

6.3 Nature and Extent of Water Use

6.3.1 Groundwater

Groundwater in the basin is used for a variety of purposes: domestic, industrial, livestock, irrigation, and other uses. A total of 2,583 groundwater wells had been registered within the basin as of December 31, 2011 (Department registered groundwater wells database) (figure 6-2). The locations of all active groundwater wells can be seen in figure 6-3.

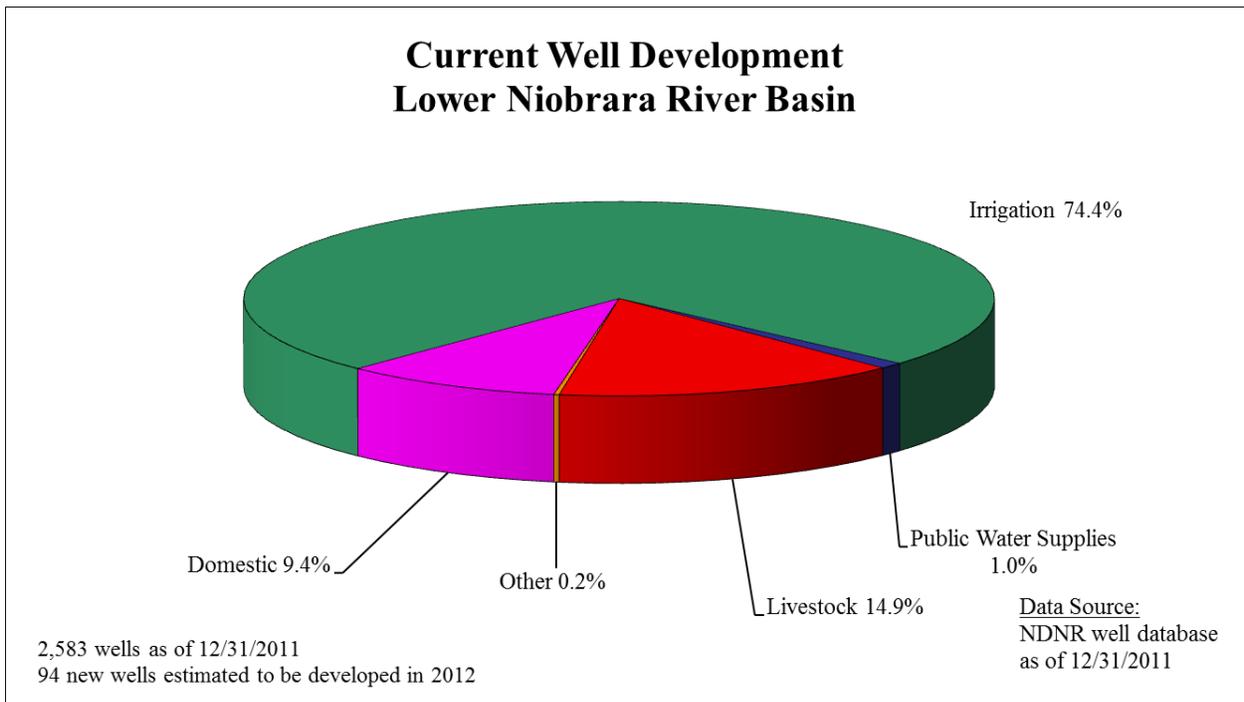


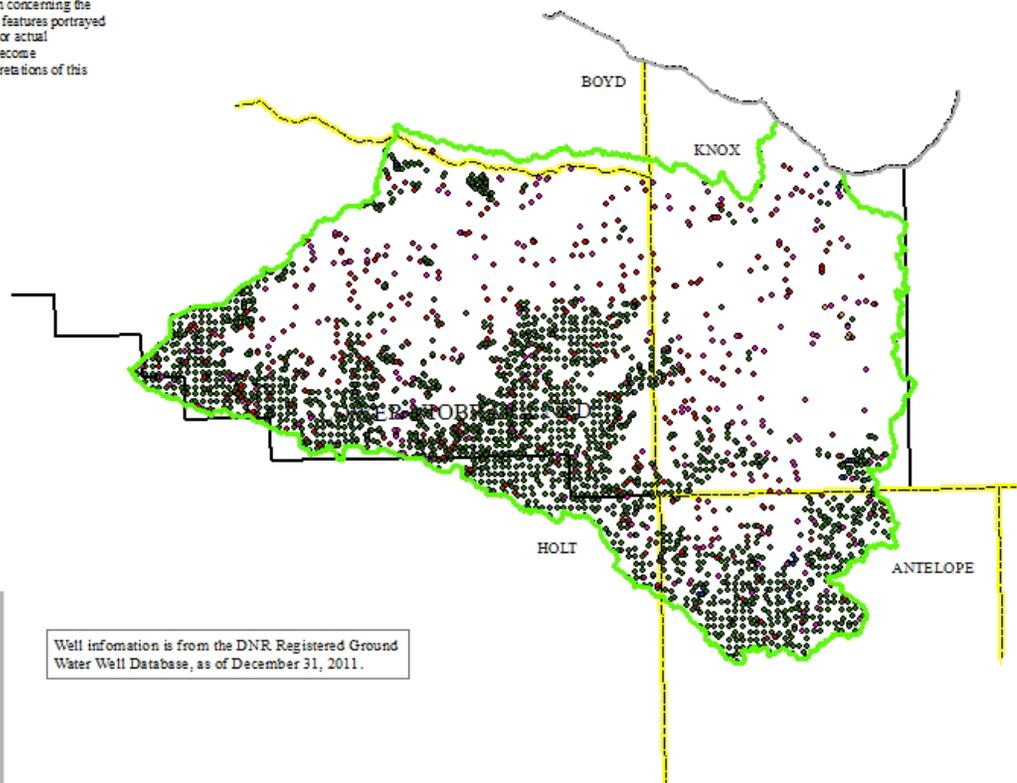
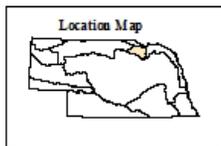
Figure 6-2. Current well development by number of registered wells, Lower Niobrara River Basin.



Current Well Development LOWER NIOBRARA RIVER SURFACE WATER BASIN



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Well information is from the DNR Registered Ground Water Well Database, as of December 31, 2011.

- Explanation**
- Lower Niobrara Surface Water Basin
 - County Boundary
 - State Boundary
 - NRD Boundary
- Wells**
- Public Water Supplies
 - Domestic
 - Livestock
 - Irrigation
 - Other

Base map produced by Kevin Schwartman, April 27, 2006
 Base map to be approved June 1, 2006
 General basin map produced by Kevin Schwartman, November 27, 2012

Figure 6-3. Current well locations, Lower Niobrara River Basin.

6.3.2 Surface Water

As of December 31, 2011, 267 active surface water appropriations for a variety of uses were held in the basin (figure 6-4). Most of the surface water appropriations are for irrigation use and storage and tend to be located on the major streams. The first surface water appropriations in the basin were permitted in 1894 and development has continued through the present day. The approximate locations of the surface water diversion points are shown in figure 6-5.

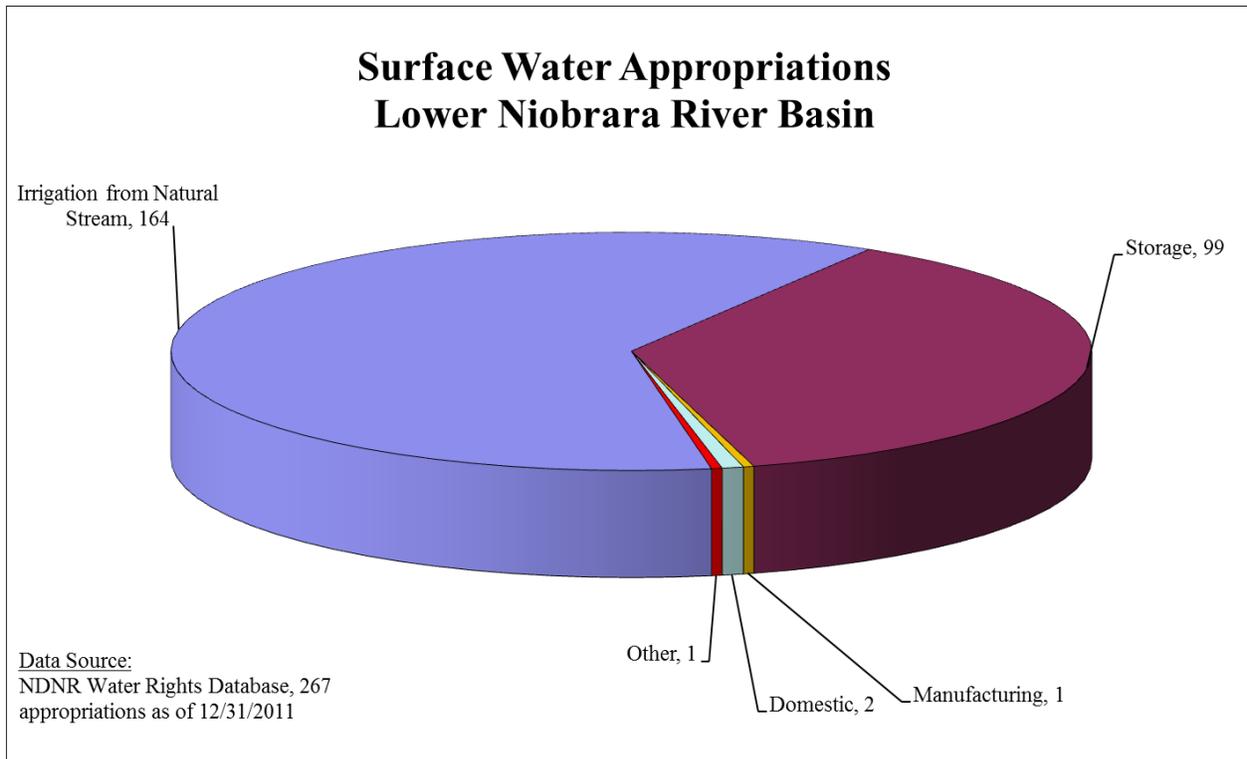
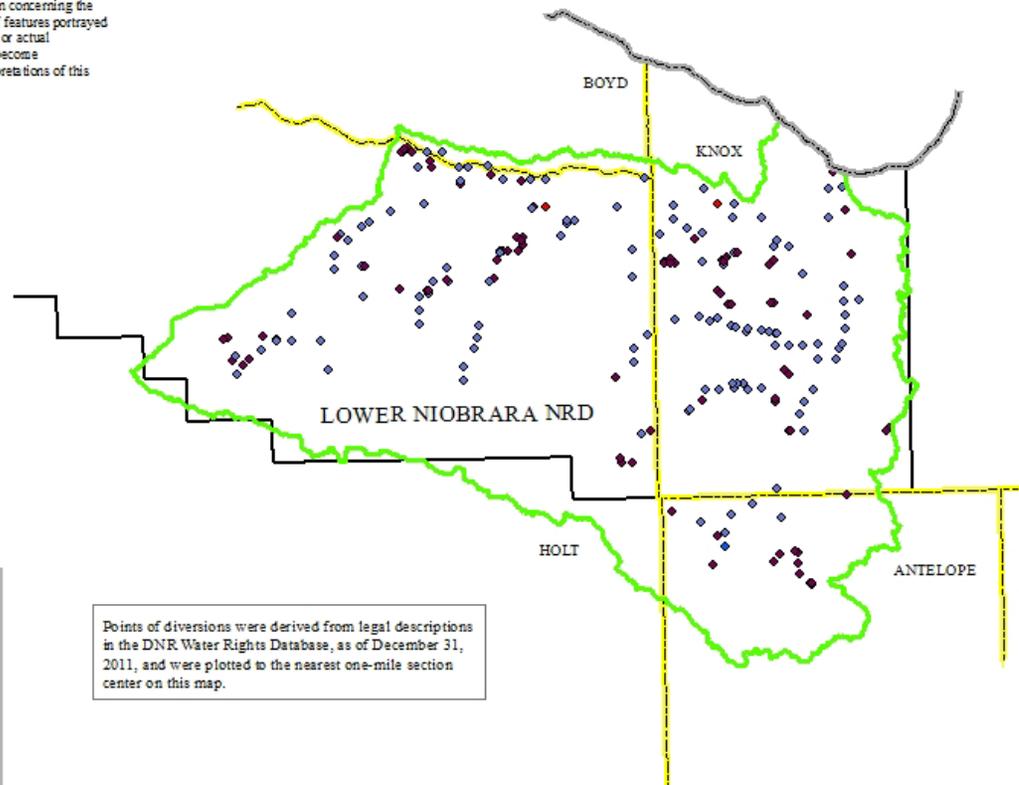
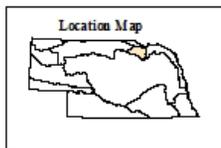


Figure 6-4. Surface water appropriations by number of diversion points, Lower Niobrara River Basin.

Surface Water Diversions LOWER NIOBRARA RIVER SURFACE WATER BASIN



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- Explanation**
- Lower Niobrara Surface Water Basin
 - County Boundary
 - State Boundary
 - NRD Boundary
- Surface Water Diversions**
- ◆ Irrigation
 - ◆ Storage
 - ◆ Manufacturing
 - ◆ Domestic
 - ◆ Other

Points of diversions were derived from legal descriptions in the DNR Water Rights Database, as of December 31, 2011, and were plotted to the nearest one-mile section center on this map.



Base map produced by Kevin Schwartman, April 27, 2006
 Base map to be approved June 1, 2006
 General basin map produced by Kevin Schwartman, November 27, 2012

Figure 6-5. Surface water appropriation diversion locations, Lower Niobrara River Basin.

6.4 Hydrologically Connected Area

No sufficient numeric groundwater model is available in the Lower Niobrara River Basin to determine the 10/50 area. Therefore, the 10/50 area was determined using the Jenkins SDF methodology. Figure 6-6 specifies the extent of the 10/50 area. The Jenkins SDF methodology used is described in the “Methodology” section of this report.

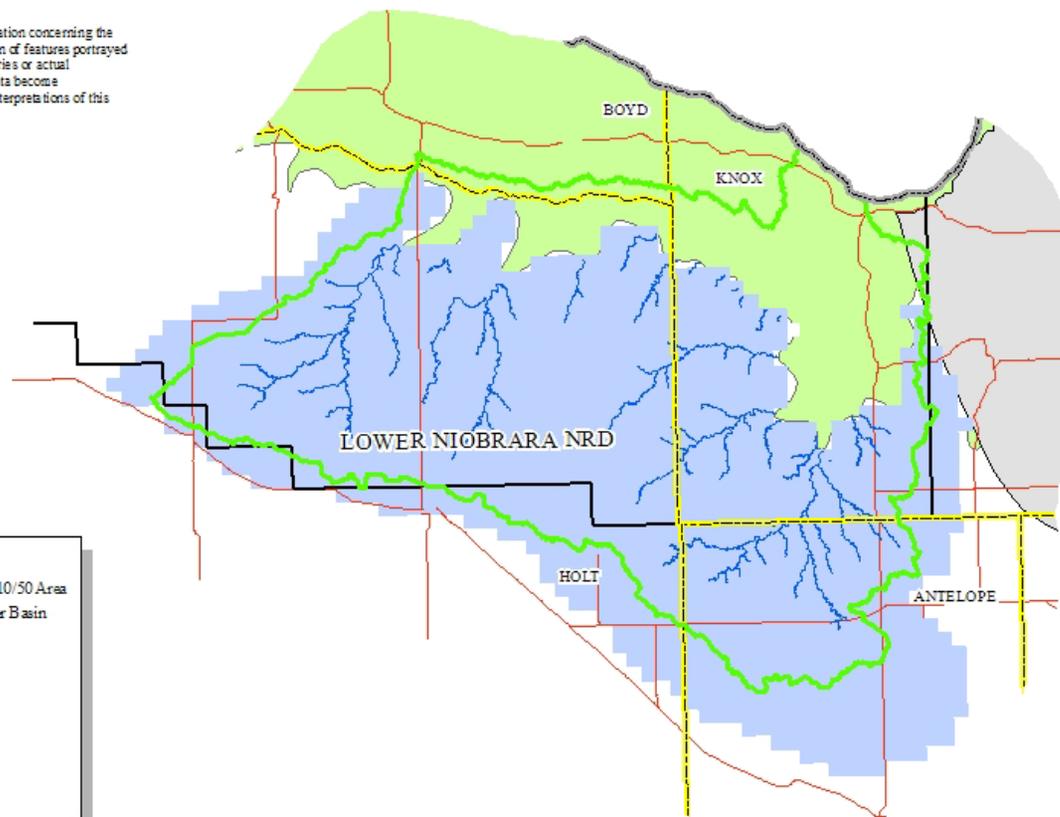
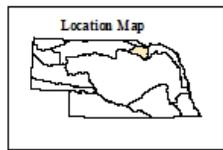


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Map of Geographic Area within which Surface Water and Ground Water Are Hydrologically Connected For Purposes of the Determination of Fully Appropriated LOWER NIOBRARA RIVER SURFACE WATER BASIN



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- Explanation**
- Lower Niobrara River Basin 10/50 Area
 - Lower Niobrara Surface Water Basin
 - Glaciated Areas
 - Aquifer Absent
 - Streams
- Cultural Features**
- County Boundary
 - State Boundary
 - NRD Boundary
 - Highways



Base map produced by Kevin Schwartzman, April 27, 2006
Base map to be approved June 1, 2006
General basin map produced by Kevin Schwartzman, September 1, 2010

Figure 6-6. 10/50 area, Lower Niobrara River Basin.

6.5 Net Corn Crop Irrigation Requirement

Figure 6-7 is a map of the net corn crop irrigation requirement (NCCIR) for the basin (DNR, 2005). The NCCIR in the basin ranges from 8.9 to 9.6 inches. To assess the number of days required to be available for diversion, a surface water diversion rate equal to 1 cfs per 70 acres, a downtime of 10 percent, and an irrigation efficiency of 80 percent were assumed. Based on these assumptions, a junior surface water appropriation in the Lower Niobrara River Basin will require between 23.6 and 25.5 days annually to divert 65 percent of the NCCIR and between 30.9 and 33.3 days to divert 85 percent of the NCCIR.

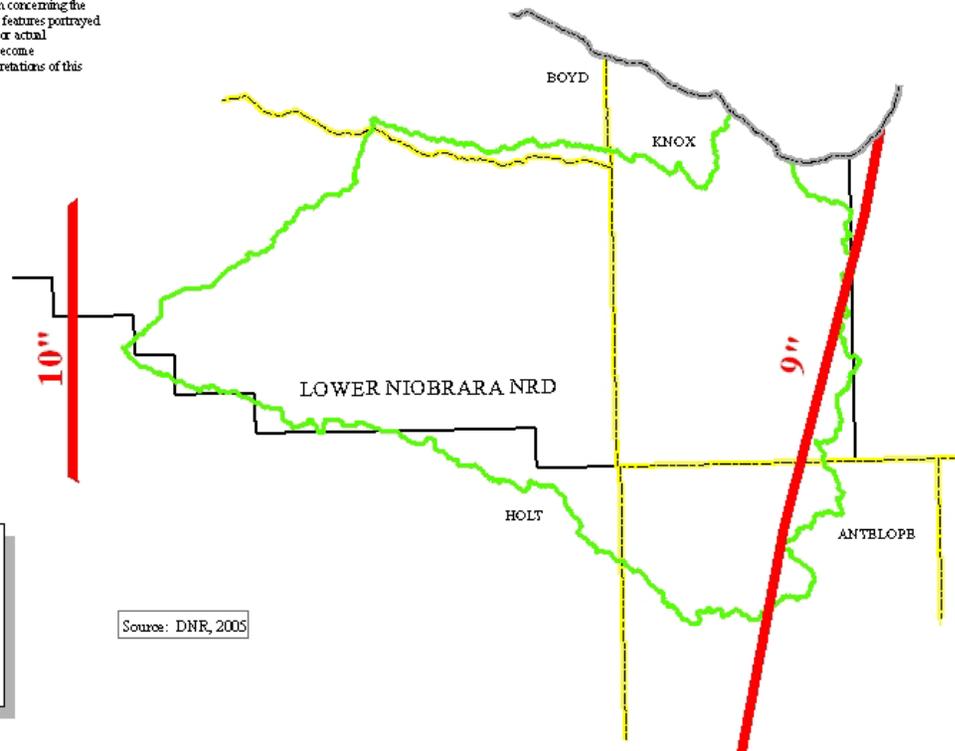
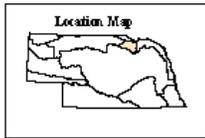


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Net Corn Crop Irrigation Requirement LOWER NIOBRARA RIVER SURFACE WATER BASIN



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- Explanation**
- Net Corn Crop Irrigation Requirement
 - Lower Niobrara Surface Water Basin
 - Cultural Features**
 - County Boundary
 - State Boundary
 - NRD Boundary

0 3.5 7 14 21 28 35 Miles

Base map produced by Kevin Schwartzman, April 27, 2006
Base map to be approved June 1, 2006
General basin map produced by Kevin Schwartzman, June 26, 2008

Figure 6-7. Net corn crop irrigation requirement (NCCIR), Lower Niobrara River Basin.

6.6 Surface Water Closing Records

Table 6-1 contains records of all surface water administration that has occurred in the basin between 1992 and 2011.

Table 6-1. Surface water administration in the Lower Niobrara River Basin, 1992-2011.

Year	Water Body	Days	Closing Date	Opening Date
	No surface water administration for the period 1992-2011 was recorded	N/A	N/A	N/A

6.7 Evaluation of Current Development

6.7.1 Current Water Supply

The current water supply is estimated by using the previous twenty years (1992-2011) of flows available for junior irrigation rights. The results of the analysis conducted for the Lower Niobrara River Basin are shown in table 6-2. The results indicate that the current surface water supply in the Lower Niobrara River Basin provides an average of 62.0 days available for diversion between July 1 and August 31 and 153.0 days available for diversion between May 1 and September 30 (table 6-3).

Table 6-2. Estimate of the current number of days surface water is available for diversion in the Lower Niobrara River Basin.

Year	July 1 through August 31 Number of Days Surface Water is Available for Diversion	May 1 through September 30 Number of Days Surface Water is Available for Diversion
1992	62	153
1993	62	153
1994	62	153
1995	62	153
1996	62	153
1997	62	153
1998	62	153
1999	62	153
2000	62	153
2001	62	153
2002	62	153
2003	62	153
2004	62	153
2005	62	153
2006	62	153
2007	62	153
2008	62	153
2009	62	153
2010	62	153
2011	62	153
Average	62.0	153.0

Table 6-3. Comparison between the number of days required to meet the net corn crop irrigation requirement and the current number of days surface water is available for diversion in the Lower Niobrara River Basin.

	Number of Days Necessary to Meet the 65% and 85% of Net Corn Crop Irrigation Requirement	Average Number of Days Available for Diversion with Current Development
July 1 – August 31 (65% Requirement)	23.6 to 25.5	62.0 (at least 36.5 days above the requirement)
May 1 – September 30 (85% Requirement)	30.9 to 33.4	153.0 (at least 119.6 days above the requirement)

6.7.2 Long-Term Water Supply

In order to complete the long-term evaluation of surface water supplies, a future twenty-year water supply for the basin must be estimated. The basin’s major water sources are precipitation, which runs off as direct streamflow and infiltrates into the ground to discharge as baseflow; groundwater movement into the basin, which discharges as baseflow; and streamflow from the middle Niobrara River. Using methodology published in the *Journal of Hydrology* (Wen and Chen, 2005), a nonparametric Mann-Kendall trend test of the weighted average precipitation in the basin was completed. The analysis showed no statistically significant trend in precipitation ($P > 0.95$) over the past sixty years (figure 6-8). Therefore, using the previous twenty years of precipitation and streamflow data as the best estimate of the future surface water supply is a reasonable starting point for applying the lag depletions from groundwater wells.

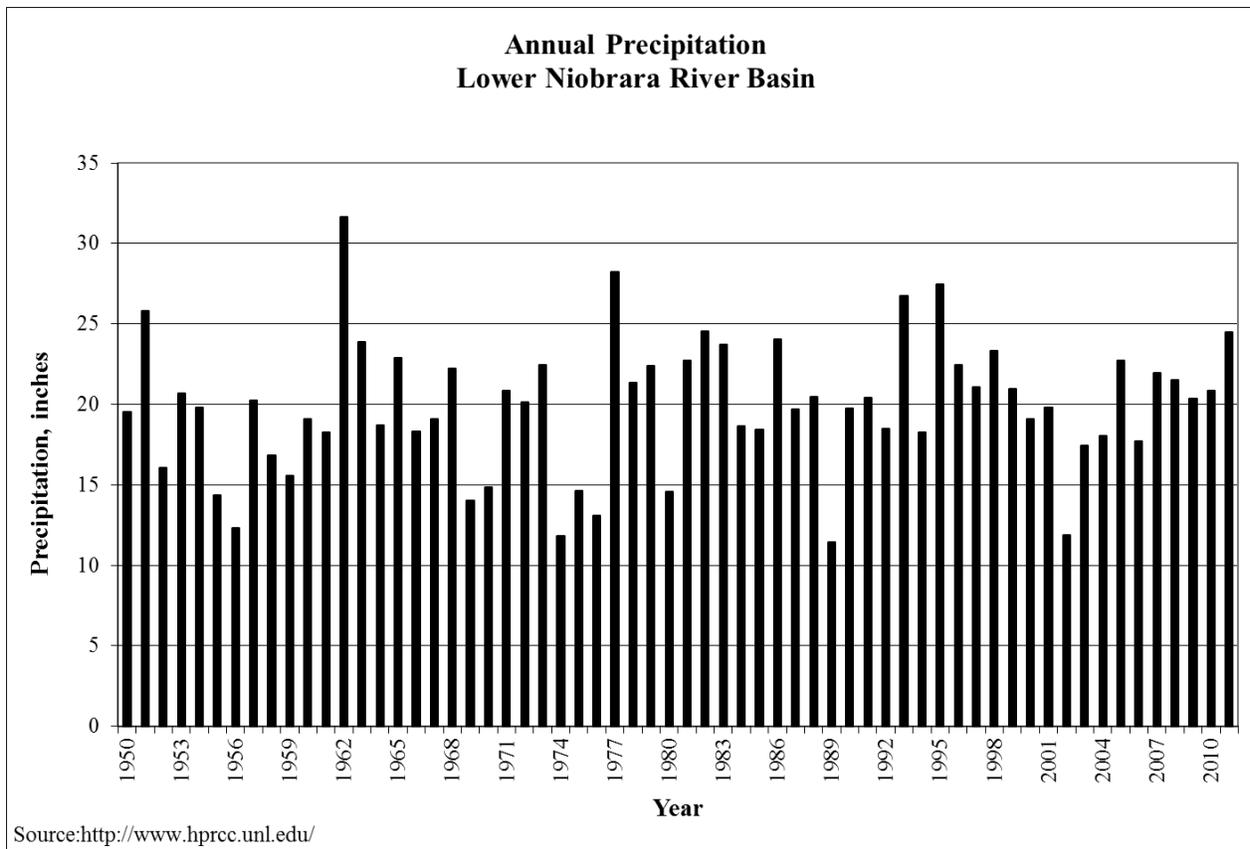


Figure 6-8. Annual precipitation, Lower Niobrara River Basin.

6.7.3 Depletions Analysis

The future depletions due to current well development that could be expected to affect streamflow in the basin were estimated using the Jenkins SDF methodology. The results estimate the future streamflows in the Lower Niobrara River Basin to be depleted by 10 cfs in twenty-five years.

6.7.4 Evaluation of Current Levels of Development against Future Water Supplies

The estimates of the twenty-year average number of days available for diversion were not estimated for the Lower Niobrara Basin because only minimal surface water administration has previously occurred in the basin, and the threshold flows necessary to satisfy senior appropriations could not be estimated. Even though the future water supplies were not estimated, the current number of days in which surface water was available for diversion far exceeds the number of days necessary to meet the 65/85 rule.

6.8 Evaluation of Predicted Future Development

Estimates of the number of high-capacity wells (wells pumping greater than 50 gpm) that would be completed over the next twenty-five years, if no new legal constraints on the construction of such wells were imposed, were calculated based on extrapolating the present-day rate of increase in well development into the future (figure 6-9). The present-day rate of development is based on the linear trend of the previous ten years of development. Based on the analysis of the past ten years of development, the rate of increase in high capacity wells is estimated to be 70 wells per year in the basin.

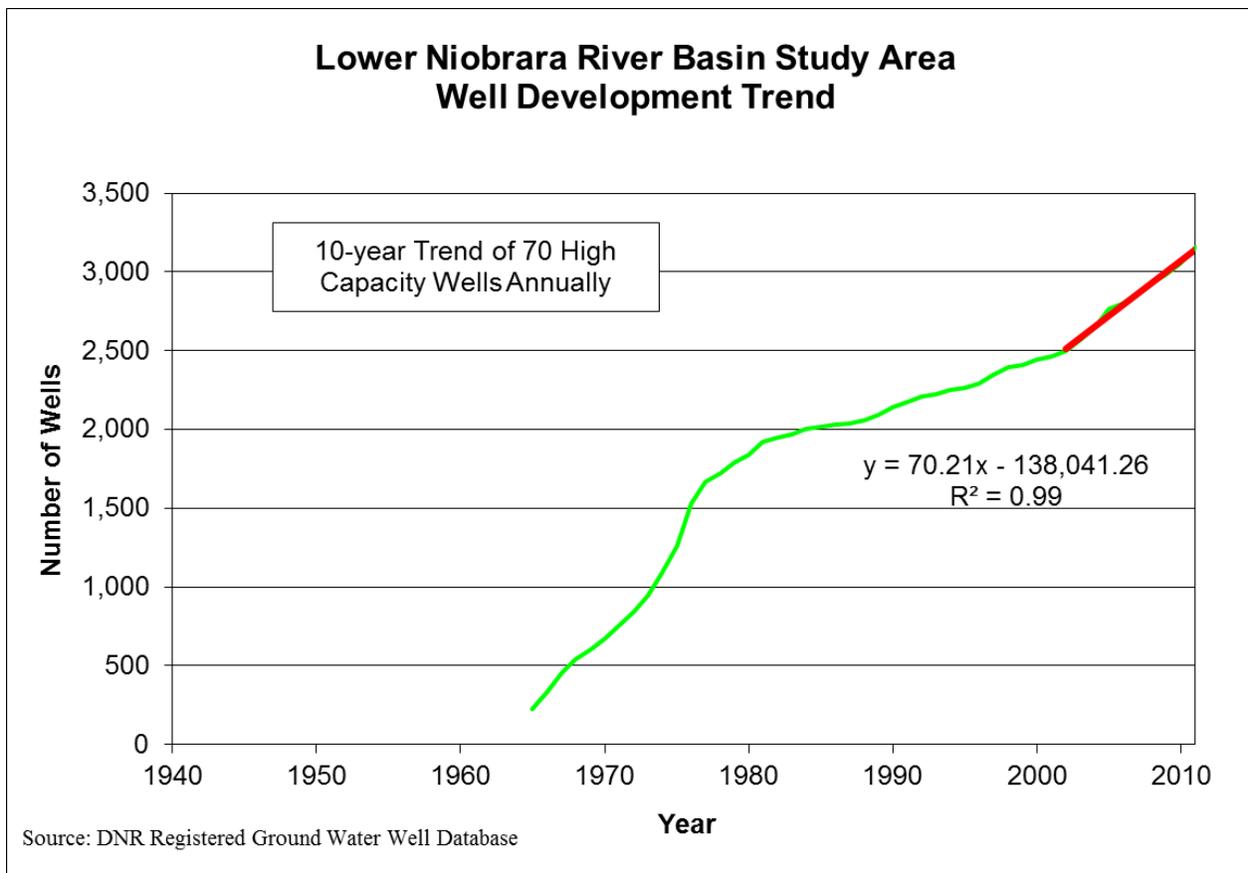


Figure 6-9. High capacity well development, Lower Niobrara River Basin.

The future depletions due to current and future well development that could be expected to affect streamflow in the basin were estimated using the SDF methodology. The results estimate the future streamflow to be depleted by an additional 36 cfs in ten years, 58 cfs in fifteen years, 81 cfs in twenty years, and 103 cfs in twenty-five years.

The estimate of the twenty-year average number of days surface water is available for diversion was not calculated because minimal surface water administration has previously occurred and the threshold flows necessary to satisfy senior appropriations could not be estimated. Even though the future water supplies were not estimated, the current number of days in which surface water was available for diversion far exceeds the number of days necessary to meet the 65/85 rule.

6.9 Sufficiency to Avoid Noncompliance

There are no compacts on any portions of the Lower Niobrara River Basin in Nebraska.

6.10 Groundwater Recharge Sufficiency

The streamflow is sufficient to sustain over the long term the beneficial uses from wells constructed in aquifers dependent on recharge from the stream as explained in Appendix F.

6.11 Current Studies Being Conducted to Assist with Future Analysis

The Department is currently developing a numeric groundwater model that would cover the extent of the Lower Niobrara River Basin. When completed, this model will be utilized in future evaluations conducted by the Department.

6.12 Relevant Data Provided by Interested Parties

The Department published a request for relevant data for this year's evaluation from interested parties on September 2, 2012 (see Appendix B for affidavit). The Department did not receive any such information.

6.13 Conclusions

Based on the analysis of the sufficiency of the long-term surface water supply in the Lower Niobrara River Basin, the Department has reached a preliminary conclusion that the basin is not fully appropriated. The analysis of lag effects of current development for the Lower Niobrara Basin indicates a reduction in streamflows by 10 cfs in twenty-five years. The analysis of the impacts of future development on the Lower Niobrara Basin based on current development

trends indicates an additional reduction in streamflows of 103 cfs in twenty-five years. The future number of days available to junior irrigators was not estimated because no surface water administration has occurred on the Niobrara River in the past twenty years. Even though the future number of days available to junior irrigators was not estimated, the current number of days in which surface water was available for diversion far exceeds the number of days necessary to meet the net corn crop irrigation requirement (NCCIR).

Bibliography of Hydrogeologic References for Lower Niobrara River Basin

Conservation and Survey Division. 2005. *Mapping of Aquifer Properties-Transmissivity and Specific Yield-for Selected River Basins in Central and Eastern Nebraska* Lincoln.

Nebraska Department of Natural Resources. 2005. *2006 Annual Evaluation of Availability of Hydrologically Connected Water Supplies*. Lincoln.

Wen, F.J. and X.H. Chen, 2006. Evaluation of the impact of groundwater irrigation on streamflow depletion in Nebraska.. *Journal of Hydrology* 327: 603-617.