

# Agency 29 - Department Of Water Resources

## Statutory Authority:

Authority for creation, duties and operations of the Department of Water Resources (DWR) is contained in the Nebraska Constitution, Article XV, sections 4, 5, 6 and 7; Nebraska Statutes Chapter 2, Article 15; Chapter 11, Article 1; Chapter 25, Articles 10 and 21; Chapter 31, Article 5; Chapter 33, Article 1; all of Chapter 46; Chapter 49, Article 6; Chapter 56, Article 1; Chapter 70, Articles 6 and 10; Chapter 81, Articles 1 and 11; and Chapter 84, Articles 2, 3, 7, 9, 10, 11, 12 and 14, R.R.S., 1943 (Cum. Sup.)

## Vision Statement:

Our vision is that the citizens of Nebraska will have a reliable supply of water that is administered according to priority, enjoy safe dams and have reliable, easily accessible information on well data.

## Mission Statement:

The mission of the DWR is to (1) promptly administer the state's water resources in accordance with the prior appropriation doctrine; (2) register all wells drilled in Nebraska; (3) promote and provide dam safety, and; (4) protect Nebraska's water supply from out-of-state interests.

Our principles include a dedication to prompt, courteous service, a recognition that our actions impact the property rights of water users and that our efforts will provide a basis for water development and dam safety.

## Goals:

Goals for the agency are as follows:

1. provide swift, accurate and courteous allocation of water resources.
2. provide quick, accurate well registrations.
3. ensure all new and existing dams are safe for all persons and property, and
4. ensure that the historic flows of water into Nebraska, are available to future generations.

## Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	5,060,012	4,374,689	8,140,873	7,678,471	6,984,533	6,698,398
Cash Fund	4,673	10,000	30,000	10,000	30,000	10,000
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	5,064,685	4,384,689	8,170,873	7,688,471	7,014,533	6,708,398

# Agency 29 - Department Of Water Resources

## Program 331 - Nebraska Water Rights

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### Program Objectives:

Nebraska filed a water rights lawsuit against Wyoming in 1986. After more than a decade of pre-trial motions and evidence gathering and two interim decisions by the U.S. Supreme Court, the case has been scheduled for trial in 1999 before a Special Master appointed by the U. S. Supreme Court. Trial may last a year or longer depending upon the schedule established by the Special Master.

In 1998 Kansas filed a lawsuit with the U. S. Supreme Court. At this time it is not certain that the Court will accept the case. The agency request was prepared based upon the assumption that the Court will take up the matter.

### Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	2,745,679	1,787,809	4,972,945	4,703,922	3,931,818	3,758,801
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>2,745,679</b>	<b>1,787,809</b>	<b>4,972,945</b>	<b>4,703,922</b>	<b>3,931,818</b>	<b>3,758,801</b>

### Performance Measures:

Performance can really only be measured in terms of litigation success. To date, Nebraska has achieved favorable rulings from the U.S. Supreme Court in two interim decisions. Because of the anticipated length of trial, final outcome of the litigation is not expected to be known until after a final decision of the U.S. Supreme Court which is not expected before June 2002.

### Governor's Recommendation Includes:

The Governor's budget recommendation includes funding necessary to continue water rights litigation efforts with the states of Wyoming and Kansas.

## Agency 29 - Department Of Water Resources Program 332 - Missouri Basin States

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### Program Objectives:

The Missouri Basin States Association (MBSA) is a coalition of Governor-appointed water Agency personnel from each of seven basin states and a representative of the Missouri Basin's tribal interests. The MBSA's focus is on issues concerning the regulation of flows in the Missouri River. The MBSA is directly involved in the development of the annual operating plans for the Missouri River each year, and it is also working closely with the Army Corps of Engineers (Corps) to track the progress of its review of the Master Manual operating plans. For Nebraska, the operation of Missouri River reservoirs is critical to proper flood control, meeting municipal and industrial water needs as well as environmental needs.

### Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	11,658	13,500	15,500	13,500	15,500	13,500
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>11,658</b>	<b>13,500</b>	<b>15,500</b>	<b>13,500</b>	<b>15,500</b>	<b>13,500</b>

### Performance Measures:

Performance is measured by: (1) whether the MBSA adopts positions that will protect Nebraska's interests and (2) whether the Corps incorporates those positions in its operating plans.

# Agency 29 - Department Of Water Resources

## Program 527 - Administration Of Water Rights

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### Program Objectives:

Program 527 contains seven subprograms and is at the "core" of the Department's mission. Program 527 includes areas involving water rights, well registrations, dam plan approval and inspections, and administrative functions.

### Financial Data:

	Actual FY98	Approp FY99	Request FY00	Recom FY00	Request FY01	Recom FY01
General Fund	2,302,675	2,573,380	3,152,428	2,961,049	3,037,215	2,926,097
Cash Fund	4,673	10,000	30,000	10,000	30,000	10,000
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total Agency</b>	<b>2,307,348</b>	<b>2,583,380</b>	<b>3,182,428</b>	<b>2,971,049</b>	<b>3,067,215</b>	<b>2,936,097</b>

### Performance Measures:

Because Program 527 provides direct interaction with the public, the best measure of performance is feedback from the public. The Department periodically reviews feedback from the public to determine the level of performance.

### Governor's Recommendation Includes:

The Governor's recommendation includes the funding for a computerized GIS-based water rights mapping system. The Governor's recommendation also includes funding for increased water regulation and monitoring activity.