

Middle Republican Natural Resources District Acreage Reduction Program (ARP) January 2009

Program guidelines

A voluntary permanent retirement program of willing seller/willing buyer is now available. The MRNRD will purchase the “right” to irrigate certified acres. Landowners will provide the district with a bid of the price per acre and the number of acres offered to permanently retire all or part of a certified use. Offered acres will be compared to funds available and the maximum amount of acres with the maximum amount of stream depletion factor will be purchased.

Land use, following the release of the irrigated right, remains with the landowner, however cropping must be approved by the district. Alfalfa or other high consumptive use crops or grasses may not be planted acres in the alluvium.

If the offered acres are the only acres served by a well, that well must be placed in inactive status or be converted to livestock or domestic use. It may not be used to supplement other certified acres.

Application must be made on forms provided by the district. The district will reserve the right to reject any and all bids for reason or for no reason at all.

Following selection of the offered acres, contracts will be completed between the NRD and the landowner. An easement will be filed on the ownership record of the property offered specifying that this ground cannot be irrigated. Landowners must decertify acres with the County Assessor and the District.

Timeline

January through April 1, 2009 – bids accepted
April – review bids and select bids to be accepted.
May – draft contracts
June – contract acceptance and make payments.

Eligibility

- Certified acres irrigated by ground water only. These acres must be verified by the district.
- Lien holders must be willing to subordinate their liens to the easement.
- History of use in 4 of the last 6 years.
- EQIP Incentive acres may be submitted.

TERMS

- No water from any well or surface water source will be applied to the property ever again.
- The landowner will allow NRD staff and agents of the MRNRD to enter the property at reasonable times but without prior permission to inspect for compliance.
- On forms provided by the district, the landowner shall provide the NRD with cropping plans for the first ten years of this agreement.
- If there is a violation of this agreement by the landowner, the landowner agrees to repay the entire amount of any NRD funds received including a liquidated damages of 20 percent.
- If the property is sold leased or conveyed in any manner the landowner must use the best efforts to notify subsequent landowners or tenants of the terms of this agreement and the easement.
- The landowner will not take any action that tends to defeat the purposes of this agreement, as determined by the NRD.
- The landowner must obtain concurrence of this decision with their lienholders.
- The NRD has no obligation to obtain approval of this contract with lienholders or leaseholders.

Priority

Acres with the highest stream depletion factor:

- Wells that pump from the alluvium
- Deep wells located in the alluvial area
- Wells in the Quick response area but not alluvial.
- Upland wells.

Other Considerations

- Full fields
- Factors to prevent adverse impacts on the states ability to comply with the Republican River Compact.
- Consumptive use of system