

PUBLIC HEARING NOTICE
LOWER ELKHORN NATURAL RESOURCES DISTRICT
THURSDAY, FEBRUARY 21, 2008
7:00 P.M. AT THE LIFELONG LEARNING CENTER IN NORFOLK, NEBRASKA

Notice is hereby given that the Lower Elkhorn Natural Resources District (NRD) will hold a public hearing on Thursday, February 21st, 2008, at its monthly Information, Planning and Programs Subcommittee meeting, which begins at 7:00 p.m., at Suite 101 of the Lifelong Learning Center, 601 East Benjamin Avenue, Norfolk, Nebraska. The purpose of the hearing is to receive public comment on the amendment to the NRD Groundwater Management Area Rules and Regulations: 1) to remove the requirement for approved flow meters to have a flow rate readout; and 2) to no longer allow people to remove a flow meter from the pipeline for off-season storage.

Both oral and written testimony will be accepted at the hearing on February 21st, 2008. Written testimony may also be submitted by mail to the Lower Elkhorn NRD, P.O. Box 1204, Norfolk, NE 68702, or delivered to the Lower Elkhorn Natural Resources NRD office, Suite 101 in the Lifelong Learning Center, on the Northeast Community College Campus, at 601 East Benjamin Avenue, in Norfolk, Nebraska. Written testimony will be accepted until 5:00 p.m. CST, Wednesday, February 27th, 2008.

The Groundwater Management Area Rules and Regulations enforce policies established in the NRD's Groundwater Management Plan, which was adopted by the NRD Board of Directors and approved by the Nebraska Department of Natural Resources in 1996. The contents of the Groundwater Management Plan include the NRD reservoir life goal, which is to "provide an adequate supply of acceptable quality groundwater to forever fulfill the reasonable groundwater demands within the NRD for domestic, municipal, agricultural, industrial, wildlife and other uses deemed beneficial by the NRD Board" as well as information about groundwater and its use in the NRD, and the goals, policies, objectives and programs of the NRD Board of Directors to achieve the reservoir life goal. No changes are proposed for the NRD Groundwater Management Plan.

Copies of the proposed amendments to the NRD Rules and Regulations are available for viewing at the NRD office at 601 E. Benjamin Avenue, Suite 101, in Norfolk, Nebraska, and on the NRD's website at www.lenrd.org.

The NRD Groundwater Management Area was formed in 1997, and includes the entire NRD as well as the following aquifers:

1. Ogallala Group and overlying deposits,
2. Niobrara Formation and overlying deposits,

3. Dakota Group and overlying deposits,
4. All other aquifers supplying groundwater for beneficial uses.

No changes are proposed for the geographic and stratigraphic boundaries of the Groundwater Management Area.

Current Groundwater Management Area Rules and Regulations require water well permits for new and replacement wells that are designed to pump more than fifty (50) gallons per minute within the entire Groundwater Management Area, and no changes are proposed for water well permit regulations.

The following is a general description of the proposed amendments to the NRD Groundwater Management Area Rules and Regulations, which apply to the entire NRD:

1. Currently, the Lower Elkhorn Natural Resources District has approved one flow meter for use in the district. The lowest reading this meter will measure accurately is 50 gallons per minute. Recently, wells have been drilled and equipped with variable speed pumps so that the owners could set their own pumping rates, which includes rates below 50 gallons per minute.

That is below the working range of the approved flow meter. Meters that will work in that range do not have gallon per minute flow rate readouts.

Since we are most interested in the total water pumped, the Lower Elkhorn Natural Resources District proposes to modify the rules and regulations to eliminate the requirement for a gallon per minute readout, and only require the totalizer readout.

This will allow the Lower Elkhorn Natural Resources District to approve meters for wells that will pump both above and below 50 gallons per minute accurately. This change appears on page 14, or in Rule 11 C. (c), and in the definition of flow meter on page 3, definition number 21 of Rule 2, of the Groundwater Management Area rules and regulations.

2. The Lower Elkhorn Natural Resources District also proposes to not allow meter removal for off-season storage, since tampering with the meter will be difficult to detect if off-season removal of the meter is allowed. That change is on page 14, in Rule 11 B (e) of the Groundwater Management Area rules and regulations.

Please contact Rick Wozniak at the Lower Elkhorn NRD, (402) 371-7313, if you have questions.