

**MINUTES OF
LOWER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING**

7:30 p.m., Thursday, October 26, 2017

Lower Elkhorn NRD

601 East Benjamin, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Dennis Schultz on Thursday, October 26, 2017 at the Lower Elkhorn NRD, 601 East Benjamin, Norfolk, Nebraska. Chairman Schultz informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on October 20, 2017 and the Nebraska Open Meetings Act information posted.

Roll call was taken by Administrative Assistant Vickie DeJong with 14 of 15 Directors present. Present: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Absent: Hansen.

Motion was made by Krueger and seconded by McHenry to excuse the absences of Joel Hansen. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

Motion was made by Kathol and seconded by Noonan to adopt the agenda. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

The reading and/or action on the minutes of the September 28, 2017 Board of Directors meeting was next on the agenda. Motion was made by Hall and seconded by Krueger that the minutes of the September 28, 2017 Board of Directors meeting and Certification of Acres Hearing be approved. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

The Finance Subcommittee report was given by Treasurer Bob Huntley. Motion was made by Huntley and seconded by Barr to approve income in the amount of \$444,930.17 and expenses in the amount of \$436,932.61. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

Motion was made by Huntley and seconded by Barr to approve income in the amount of \$72,809.99 and expenses in the amount of \$91,936.06 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

Motion was made by Huntley and seconded by Barr to approve income in the amount of \$7,798.03 and expenses in the amount of \$2,509.35 for the Wau-Col Regional Water System. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

The conservation cost share report was given by Project Manager Curt Becker. A copy of the report is attached to the official minutes.

The Nebraska Association of Resources Districts report was given by Kurt Janke. Chairman Schultz appointed Dave Kathol as NARD Alternate to attend the next NARD board meeting in Beatrice.

No Nebraska Natural Resources Commission report was given.

A Natural Resources Conservation Service report was given by Robin Sutherland District Conservationist. (A copy of the report attached to the official minutes.)

Gary Loftis reported on the Loess Hills RC&D and Bob Huntly reported on the Northeast Nebraska RC&D.

The Bazile Groundwater Management Area Coordinator, Phil Steinkamp began his duties on October 2.

The Administrative Report was given by General Manager Mike Sousek. (A copy of the report attached to the official minutes.) Dallas Dorey, Water Resources Technician, gave a report on the results of the 2017 summer water quality sampling program.

The Logan East Rural Water System Advisory Committee report was given by Gary Loftis. Motion was made by Loftis and seconded by Huntley to accept the Logan East Rural Water System Advisory Committee minutes of October 9, 2017. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

The Committee of the Whole report was given by Vice-Chairman Mike Krueger. Motion was made by Krueger and seconded by Loftis to untangle the motion: to recognize the amount of 6018 Acre-feet as the total amount of available depletion for the first five (5) year increment for the Elkhorn Basin and to agree to adhere to the recommended sub-basin proportions for the first five (5) year increment; 75% of the available depletion to the Lower Elkhorn NRD and 25% of the available depletion to the Upper Elkhorn NRD, with each District cooperating independently with the Nebraska Department of Natural Resources (NDNR) to determine the NDNR's proportion (of each sub-basin) for the Elkhorn Basin portion of the Lower Platte Basin. Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

Vote on motion: Aye: Allemann, Barr, Gustafson, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Hansen. Motion Carried.

The Ad-Hoc Variance Committee report was given by Gary Loftis. Motion was made by Loftis and seconded by Barr To allow up to 2,500 acres or 451.35 Acre Feet of new depletion, whichever comes first, of new groundwater irrigation development in the Hydrologically Connected or 10/50 Area under the District's standard variance process for 2018; and to allow up to 2,500 acres of new groundwater irrigation development in the Non-Hydrologically Connected or Non 10/50 Area under the District's standard variance process for 2018. As a condition for approval, an annual limit on the amount of groundwater withdrawal from wells associated with approved variances will be determined by board policy, which is subject to future modification if conditions warrant. In addition, a minimum soil score of 90 must be met for any standard variance to be considered for approval. Standard variance requests will also only be considered for approval from areas within the District that fall within the top five Potential for Development categories, as provided by the Classification 4 Map, as provided by Flatwater

Group. In addition, a District sign-up for the receipt of standard variance requests shall be established between November 15 and December 15, 2017. Aye: Allemann, Barr, Hall, Huntley, Janke, Kathol, Korth, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: Gustafson. Absent: Hansen. Motion Carried.

The meeting adjourned at 9:16 p.m.

I, the undersigned Secretary of the Lower Elkhorn Natural Resources District hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Board of Directors on October 26, 2017, that all of the subjects included in the foregoing proceedings were contained in the agenda for at least twenty-four hours prior to said meeting, the minutes of the Chairman and the Board were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body, that all news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Mark Hall, Secretary