

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

7:30 p.m. Thursday, December 19, 2024

Lower Elkhorn NRD, 1508 Square Turn Blvd., Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Roger Gustafson on Thursday, December 19, 2024, at the Lower Elkhorn NRD, 1508 Square Turn Blvd., Norfolk, Nebraska. Chairman Gustafson informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on December 13, 2024 and the Nebraska Open Meetings Act information posted on the wall.

Roll call was taken by Administrative Assistant Patty Martens with 14 of 15 Directors present. Members present were Jerry Allemann, Jim Aschoff, Scott Clausen, Mike Fler, Mark Hall, Chad Korth, Kris Loberg, Gary Loftis, Jay Reikofski, Matt Steffen, Melissa Temple, Anthony Wisnieski, Rod Zohner, and Roger Gustafson. Mark Burenheide was not in attendance.

Motion was made by Korth and seconded by Wisnieski *to excuse the absence of Mark Burenheide*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Korth and seconded by Allemann *to adopt the agenda*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

There were no public comments.

Motion was made by Korth and seconded by Allemann *to approve the minutes of the November 26, 2024 Board of Directors Meeting*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

The Fiscal Year 2024 Audit report was given by Donita Pokorny of Dana F. Cole & Company. Motion was made by Hall and seconded by Clausen *to accept the Fiscal Year 2024 Audit as prepared by Dana F Cole & Company*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

The Finance Subcommittee report was given by Mark Hall. Motion was made by Hall and seconded by Wisnieski *to approve income in the amount of \$229,751.98 and expenses in the amount of \$315,651.59 for the Lower Elkhorn Natural Resources District*. Aye: Allemann, Clausen, Fler, Hall, Korth, Loberg, Loftis, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Abstain: Aschoff, Reikofski, Steffen. Absent: Burenheide. Motion carried.

Motion was made by Hall and seconded by Loftis *to approve income in the amount of \$74,405.06 and expenses in the amount of \$35,478.20 for the Logan East Rural Water System*.

Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Hall and seconded by Aschoff to approve income in the amount of \$6,188.68 and expenses in the amount of \$3,945.32 for the Wau-Col Regional Water System.

Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. 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 District report – Hall noted the upcoming January Legislative Conference.

There was nothing to report for The Nebraska Natural Resources Commission as Garry Anderson was not in attendance.

The Natural Resources Conservation Service report was not given as District Conservationist Robin Sutherland was not in attendance.

The Nebraska Loess Hills and Northeast Nebraska RC&D – Nothing to report for both RC&Ds.

The Bazile Groundwater Management Area report was referenced in Dropbox by Assistant General Manager Curt Becker as Lisa Lauver was not in attendance. A copy of the report is attached to the official minutes.

The Administrative Report was given by Curt Becker as General Manager Brian Bruckner was not in attendance. A copy is attached to the official minutes.

The Logan East Rural Water System report was given by the Logan East RWS Manager Shawn Blahak. A copy is attached to the official minutes.

Motion was made by Loftis and seconded by Gustafson to approve the minutes of the December 9, 2024 Logan East RWS Advisory Meeting. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

The Information, Planning, Programs, Projects, Equipment & Legislation Committee of the Whole report was given by Vice-Chairman Matt Steffen.

Motion was made by Steffen and seconded by Korth to approve the 2024 Crop Damage Agreement on the Norman and Agnes Herian Easement, Willow Creek Project, and approve payment in the amount of \$9,066.40. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Korth to set the 2025 allocation amounts for the Lower Elkhorn NRD Quantity Management Subareas at: 18 inches per irrigated acre for gravity/flood systems, 13 inches per irrigated acre for subsurface drip irrigation systems, and 14 inches per irrigated acre for all other irrigation systems in the Eastern Madison County Quantity Management Subarea; and 17 inches per irrigated acre for gravity/flood irrigation systems, 12 inches per irrigated acre for subsurface drip irrigation systems, and 13 inches per irrigated acre for all other irrigation systems in the Wayne County Quantity Management Subarea. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Korth to authorize staff to prepare and send Notice of Violation letters to owners of high capacity wells, as necessary, who have failed to submit end of season flow meter readings which were due on December 1, 2024. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Korth to adopt the final ranking of applications for Standard Variances as presented by District staff in the Excel spreadsheets titled "Exhibit A – 10/50 Area", "Exhibit B – Non 10/50 Area", and "Exhibit C – LENRD Quantity Management Subarea". Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Clausen to allow up to 405.92 acre feet of new peak-season streamflow depletions for the District's 10/50 area, in accordance with the District's Rule 13, and to authorize staff to issue variances for the recommended applications contained in Exhibit A, subject to the Lower Elkhorn Natural Resources District Conditions for Approval Policy. Approval of this motion will simultaneously instruct staff to prepare correspondence to notify all non-approved applicants of the outcome and inform them of possible opportunities to reapply in the future. Aye: Allemann, Aschoff, Clausen, Fler, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Abstain: Hall, Korth. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Korth to allow up to 3,837.51 new groundwater irrigated acres in the District's Non 10/50 area, in accordance with the District's Rule 15, and to authorize staff to issue variances for the recommended applications contained in Exhibit B, subject to the Lower Elkhorn Natural Resources District Conditions for Approval Policy. Approval of this motion will simultaneously instruct staff to prepare correspondence to notify all non-approved applicants of the outcome and inform them of possible opportunities to reapply in the future. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loftis, Reikofski, Wisnieski, Zohner, Gustafson. Nay: Temple. Abstain: Loberg, Steffen. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Korth to allow up to 277.09 new groundwater irrigated acres in the LENRD Quantity Management Subarea, in accordance with the District's Rules 13, 15, and 17, and to authorize staff to issue variances for the recommended applications contained in Exhibit C, subject to the Lower Elkhorn Natural Resources District Conditions for Approval Policy. Approval of this motion will simultaneously instruct. Staff to

prepare correspondence to notify all non- approved applicants of the outcome and inform them of possible opportunities to reapply in the future. Aye: Allemann, Clausen, Fleer, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: Temple. Abstain: Aschoff. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Loftis to direct staff to draft a Memorandum of Understanding between the Logan East Rural Water System and the City of Oakland for the purpose of entering into an agreement to access treated drinking water to be utilized to satisfy the current and future demands of the Logan East Rural Water System customers. Aye: Allemann, Aschoff, Clausen, Fleer, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Motion was made by Steffen and seconded by Loftis to direct staff to draft a Memorandum of Understanding between the Logan East Rural Water System and the Village of Craig for the purpose of entering into an agreement to supply drinking water from the Logan East Rural Water System to the Village of Craig. Aye: Allemann, Aschoff, Clausen, Fleer, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Burenheide. Motion carried.

Meeting adjourned at 9:10 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 December 19, 2024 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.

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Jay Reikofski, Secretary