

Minutes of the
Lower Elkhorn Natural Resources District
Committee of the Whole
Thursday, January 8, 2026
Lower Elkhorn NRD
1508 Square Turn Blvd, Norfolk, Nebraska

1. Chairman Matt Steffen informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on December 31, 2025, and of the Nebraska Open Meetings Act information posted on the wall.

Directors in attendance were Jerry Alleman, Jim Aschoff, Mark Burenheide, Scott Clausen, Mike Fleer, Andrew Hrabanek, Lee Klein, Chad Korth, Kris Loberg, Gary Loftis, Jay Reikofski, Matt Steffen, Melissa Temple, and Anthony Wisnieski. Roger Gustafson was absent from the meeting.

2. Public Comment - There were no comments from the public at this time.

3. Projects and Programs

- a. Battle Creek WFPO – Assistant General Manager Curt Becker addressed questions previously received from board members including: land values and how they affect benefit cost ratio; farming on flood easement areas; eminent domain, appraisals and land acquisitions; handling of remnant or oddly shaped fields; management of recreational facility; possible cost increases; depletions to the Platte River; county zoning requirements; land treatment practices; property buyout and land acquisition; flood frequency; and steps taken if the plan does or does not get Board approval. Becker also addressed additional questions from the Board.

Recommended motion: To approve resolution 2026-01, which approves the Battle Creek Watershed Agreement and authorize the General Manager and Chairman to sign both resolution 2026-01 and the Battle Creek Watershed Agreement.

- b. North Fork Elkhorn River WFPO/Watershed Plan – North Fork Elkhorn River WFPO/Watershed Plan – Discussion was held on potential plan approval, potential amendment to NRCS WFPO agreement, and potential amendment to the contract with JEO. The plan will need to be approved before moving forward to the design phase. Becker noted the funds could be used for a number of different projects in Osmond including the 4th Street road raise, a small berm levy on the northeast side of town, and nonstructural improvements south of the highway. In Pierce, the different projects include improvements to the levy, drainage improvements on the northwest and southwest side of town, and a pump station on the east side of town to get water up and over the levy. Additional funds are available in the grant that were not needed in the planning phase and could potentially be used for preliminary design work.

Recommended motion: To approve resolution 2026-02, which approves the North Fork Elkhorn River Watershed Agreement and authorize the General Manager and Chairman to sign both resolution 2026-02 and the North Fork Elkhorn River Watershed Agreement.

Recommended motion: To instruct staff to submit the letter of request as presented to NRCS to extend the expiration date and amend funds from planning work to preliminary design work for the North Fork Elkhorn River WFPO Grant.

Recommended motion: To authorize the general manager to sign the contract amendment with JEO Consulting Group to incorporate preliminary design work for the North Fork Elkhorn River WFPO Watershed Plan-EA contract as presented contingent on NRCS approval of fund amendment for the North Fork Elkhorn River WFPO Grant.

- c. Pilger Rec Area – Director Anthony Wisnieski provided pictures of the newly built pavilion at the Pilger Rec Area. Future plans include electrical outlets and lights on the structure.

4. Water Resources

- a. Update and Discussion on Potential Enforcement Options for Non-Submittal of Flow Meter Reports (due December 1, 2025) – Curt Becker provided an update on the submittal of flow meter readings. At this time, 650 flow meter readings still need to be submitted by producers. Another letter will be sent out reminding those producers that their meter readings will need to be received by the LENRD as soon as possible.

Recommended motion: To instruct staff to send out notice of intent to issue letters as presented to entities that have not submitted flow meter readings by January 30th.

- b. Status Update on Submittal of Phase 2 and 3 Management Area Reports (January 15th of each year) – Connor Baldwin provided an update on Phase 2 and 3 Area annual reports. At current, around 450 reports, or around 25%, have been submitted.
- c. LENRD Standard Variances for New Groundwater Irrigated Acres – Water Resources Manager Doug Hallum updated the Board on the status of variance applications. The District received 74 application in the hydrologically connected area and 93 application in the non-hydrologically connected area. Staff is still working on processing those applications, but it is expected to be finished soon.

Recommended motion: To allow up to 332.64 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 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.

Recommended motion: To allow up to 3,694.69 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.

Recommended motion: To allow up to 386.38 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 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.

- d. LENRD Rules and Regulations for the Management of Groundwater and Proposed Updates to the LENRD Groundwater Management Plan – Doug Hallum discussed ideas that had previously been brought forward from the Board in addition to other adjustments or changes to various rules. The rule changes will be presented at a later date.

5. Administrative

- a. 2026 NARD Legislative Conference and 109th Legislative Session of the Nebraska Unicameral – General Manager Brian Bruckner updated the Board on Legislative session updates including proposed bills in addition to discussions with State Senator Dover.
- b. Conference Opportunities – Bruckner informed the Board of the NACD's 80th Annual Meeting in San Antonio, Texas on February 15-19, 2026, the GMDA Winter Conference in Roswell, New Mexico on March 2-5, 2026, and the NARD Washington, D.C. Conference on March 28-April 1, 2026.

Others present and speaking: Nick Schaffer, Bob Baker

The meeting adjourned at 9:38 p.m.