

Minutes of the
Lower Elkhorn Natural Resources District
Committee of the Whole
Thursday, August 13, 2026 – 7:00 p.m.
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 August 7, 2026, and of the Nebraska Open Meetings Act information posted on the wall.

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

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

3. Projects and Programs

- a. Status update on the availability of Nebraska Soil and Water Conservation Program (NSWCP) funding and discussion about the budgeting of local conservation cost share dollars to provide assistance for Agroforestry and other conservation practices. Assistant General Manager Curt Becker provided background on the NSWCP program. Funding for this Fiscal Year is currently on hold due to a court injunction. The court hearing will not be until February 2027. The LENRD uses the NSWCP funding for tree planting cost share and occasionally other structural practices. The drip irrigation practice for tree planting was approved when utilizing NSWCP. Four applications were submitted to NSWCP for payment and 3 projects were completed but had not yet been submitted for payment before the injunction, including drip irrigation practices. Many projects for FY 2027 have been approved or are in the middle of the application process. Staff are looking for direction on current completed but not paid projects, and projects being planned for FY 2027.

1. Recommended Motion: To authorize staff to utilize local funds, if NSWCP funds are unavailable, to reimburse landowners for expenses associated with the purchase and installation of drip irrigation for conservation tree plantings.

2. To authorize staff to utilize local funds, not to exceed \$18,909.53, to reimburse landowners whose NSWCP reimbursements are currently paused due to litigation.

3. To authorize staff to budget local funds and apply for grant funds as necessary to facilitate reimbursements to landowners during Fiscal Year 2027 for conservation practices that would ordinarily be submitted to DWEE for reimbursement from NSWCP.

- b. Status update and discussion on the solicitation of bids to complete necessary maintenance and repairs at the Scribner Airport West Dam. Assistant General Manager Curt Becker provided background on the Scribner Airport West Dam. DWEE dam safety has indicated necessary repairs. Becker has communicated with 3 dirt contractors and should have bids back for discussion at the August Board Meeting.
- c. Discussion on the development of a Request for Proposals (RFP) for the completion of a mural to be affixed to the Maskenthine Mountain Bike Trail storage container. In August 2025, the William Hansen Estate gifted the LENRD with \$37,801.98 to be “used for the general welfare and preservation of Maskenthine Lake in Stanton, County, Nebraska.” General Manager Brian Bruckner brought forward the proposal to utilize funding from the Hansen Estate to create a mural on a panel that could be affixed to the storage container and presented a draft RFP to the Board.

Recommended Motion: To instruct staff to solicit a Request for Proposals, not to exceed \$2,000, from qualified applicants for the completion of a mural which would be painted onto or attached to the storage container for the Maskenthine Trail Network.

4. Water Resources

- a. Discussion regarding the determination of an allocation of acres for the consideration of Standard Variances for New Groundwater Irrigated Acres in the Lower Elkhorn Natural Resources District. Water Resources Manager Doug Hallum presented numbers from current certified irrigated acres and acres that were added through the Standard Variance process. He also presented groundwater quantity trends before and after Standard Variances and staff’s recommendations for a new variance signup.

Recommended Motion #1: To authorize staff to advertise and schedule a sign-up period to run from October 1, 2026 through October 30, 2026 to receive applications for standard variances from geographically eligible locations in the LENRD. Approval of this motion will also direct staff to prepare application materials and to collect the application fee of \$100 for each standard variance during the upcoming sign-up period.

Recommended Motion #2: To allow up to 267 acre-feet of new depletions in the Hydrologically Connected Area, and up to 2,500 new irrigated acres in the Non-hydrologically Connected Area in the Lower Elkhorn NRD. Of the allowed acres, no more than 474 new irrigated acres may be allowed in the Quantity Management Subareas. Approval of this motion will also authorize approval and use of Conditions for Approval Policy, dated August 27, 2026, and the weighting of scores on the scoresheets utilized to process Standard Variances. Geographic eligibility will be determined from the map titled “Lower Elkhorn NRD– 2026 Irrigation Development Areas”

- b. Eastern Madison and Wayne County Quantity Management Subareas - Discussion regarding the authorization of an additional 2 acre inches to be used after September 15th for the germination and establishment of a cover crop. General Manager Brian Bruckner reminded the Board of this decision that is made annually. Staff have no reservations in making this recommendation.

Recommended Motion: To approve an additional 2 acre inches of groundwater, only for irrigation wells subject to an annual groundwater allocation in the Lower Elkhorn Natural Resources District Quantity Management Subareas, to be utilized for germination and establishment of a cover crop, after September 15, 2026, and to grant District staff administrative authorization to approve use of the additional allocation prior to September 15th on a case-by-case basis.

5. Administrative

- a. Report and update on Compliance and Enforcement Activities for the LENRD Rules and Regulations for the Management of Groundwater. General Manager Brian Bruckner informed the Board that staff had received a tip about a potential violation of use of a well. Staff completed a field inspection and verified a violation had occurred. A notice of intent to issue a cease and desist order was provided to the well owner. The well owner has chosen to execute his right to request a hearing before the Board. The issue is for illegal use of a well that should not be used for irrigation. Legal counsel will attend the Board meeting to conduct the hearing.
- b. Discussion on State and Local Guidelines for LENRD Director Per Diem. General Manager Brian Bruckner presented a table of per diem policies by NRD. State statute limits per diem to \$70/day up to \$3,600/year. Current LENRD policy is \$20/hr up to \$70/day. To change the limit in state statute would require going through the legislature. LENRD policy could be changed by the Board while staying within the \$70/day limit.

The meeting adjourned at 8:16 p.m.