

LEWIS & CLARK NRD MINUTES

October 20, 2022

Chair Heine called the October 20, 2022, meeting of the Lewis and Clark Natural Resources District (LCNRD) Board of Directors to order at 6:02 p.m. in the conference room at the LCNRD office. Chair Heine stated to the public present that prior notice of the meeting had been publicized according to policy designated by the board. Chair Heine announced that a copy of the Open Meetings Act is located on the west wall of the meeting room. Roll call of members. Present: Armstrong, Condon, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, and Steffen. Absent: Christensen and Weinandt.

CONSENT AGENDA

Consent agenda review. *It was moved by Kramer, seconded by Johnson to approve minutes of the September 15, 2022, board meeting and the September 16, 2022, to October 20, 2022, consent agenda. The consent agenda includes financial reports, cost share approvals, claims, corrections, and additions (attached to file copy of minutes). Roll call vote: AYE: Armstrong, Condon, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, and Steffen. NAY: None. ABSENT: Christensen and Weinandt. Motion carried (9-0-2).*

Chair Heine welcomed District 40 legislative candidate, Barry DeKay to the meeting. DeKay discussed his candidacy and priorities; he also fielded questions from the board.

Director Weinandt entered the meeting at 6:15 pm.

DIRECTOR ACTIVITIES

NARD Activity: Kramer and Steffen reported on NARD activities and the conference in Kearney.

Natural Resources Commission (NRC): Jeff Steffen reviewed the recent NRC meeting and announced that the Cedar Knox Rural Water Project was awarded \$8,481,000.00 from the Water Sustainability Fund for the Source Solution and System Upgrade Project.

RC&D & Wau-Col Activities. Howey reported on RC&D activities from the meeting held in Plainview. No report on Wau-Col.

Hoelsing left the meeting at 7:00 pm.

Chair Heine welcomed District 40 legislative candidate Keith Kube to the meeting. Kube discussed his candidacy and priorities; he also fielded questions from the board.

RURAL WATER ADVISORY COMMITTEE

Weinandt and Fiedler reported on CKRWP activities and presented recommendations from the September 8, 2022, meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- To approve minutes of the September 8, 2022, Cedar Knox Rural Water Project Meeting with a typographical correction.
- To approve expenses from September 9, 2022, to October 13, 2022, as presented.
- To approve the contribution of \$2000.00 in 2022 to the Knox County SID #2 for maintenance of roads in Devils Nest that facilitates access to the water treatment plant.
- To approve retaining the services of Peetz and Company for lobbyist services representing the needs of Cedar Knox Rural Water Project and the Source Solution and System Upgrade Project at a rate of \$24,000.00 for one year.
- To approve the Rural Water Engineering Application for a 6-inch line extension for Lots on Country Club Drive for Devils Nest Development, the water service connection for Clint Hughes in Sec 19 T33N R3W Lots 1732-1734 in Devils Nest for 1 BU upon completion of the 6-inch line extension on Country Club Drive, and the line extension and water service connection for Mike Kuchta, upon completion of Engineer Review Application, engineer approval, signed paperwork and payment in full, in Sec 1 T32N RIW in Cedar County.

It was moved by Kramer, seconded by Howey to approve the Cedar Knox Rural Water Project report and each recommendation as stated above. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

Chair Heine welcomed Natalie Peetz of Peetz & Company to the meeting. Ms. Peetz provided an overview of the services her company can provide to work towards securing additional funding for CKRWP related to the Source Solution and System Upgrade Project.

AGENCY ACTIVITIES

NRCS Report: Rebekah Poppe, District Conservationist, reviewed current NRCS activities and a report was provided in the director packet.

Bazile GMA Updates: Lisa Lauver, Bazile Groundwater Management Area Coordinator, and Jeremy Milander, UNL Bazile Extension Educator, provided reports that were included in the director packet.

EXCUSED ABSENCES - CORRESPONDENCE REVIEW

Excused absences Hoelsing and Christensen

ADMINISTRATIVE ACTIVITIES

Certified Irrigated Acres Certification: None

Manager's Report: Sudbeck reviewed items from the Manager's Report attached to file copy of the minutes.

Staff Reports: Reports for Hochstein, Lammers, Trenhaile, Krusemark, A. Fiedler, Ravenkamp were provided in the director packet.

Well Permits, Expanded Irrigated Acres, Flow Meters and /or variances: Lammers presented the well permits to the board. Chair Heine welcomed Sue Lackey to the meeting who gave a power point presentation on groundwater resources and is attached to file copy of the minutes. Following discussion Chair Heine requested separate motions for each permit application.

It was moved by Steffen, seconded by Howey to approve Donald Jorgensen expanded acres permit X-22054 for 53 irrigated acres in the E1/2NW Section 16, T29N, R1W. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Schmidt, seconded by Condon to approve Jeff Kathol expanded acres permit X-22055 for 42 irrigated acres in the N1/2SE Section 30, T32N, R2E. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Howey, seconded by Kramer to approve Kenneth Becker well permit LC-391 for a well in the NENE Section 27, T30N, R3W and variance-22004. Roll call vote: AYE: None. NAY: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. ABSENT: Hoelsing and Christensen. Motion failed (0-9-2).

It was moved by Steffen, seconded by Schmidt to approve Circle E Land & Cattle well permits LC-392 and LC-393 for wells in the NWNW Section 18, T31N, R2W and NENW Section 18, T31N, R2W, and expanded acres permit X-22056 for 137 irrigated acres in the NW Section 18, T31N, R2W. Roll call vote: AYE: Armstrong, Heine, Howey, Schmidt, and Steffen. NAY: Condon, Johnson, Kramer, and Weinandt. ABSENT: Hoelsing and Christensen. Motion carried (5-4-2).

It was moved by Armstrong, seconded by Weinandt to approve Todd Albers expanded acres permit X-22057 for 28 irrigated acres in the S1/2SWNW & N1/2NWSW Section 31, T31N, R1E. Roll call vote: AYE: Armstrong, Condon, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: Heine. ABSENT: Hoelsing and Christensen. Motion carried (8-1-2).

It was moved by Schmidt, seconded by Weinandt to approve June Erwin well permit LC-394 for a well in the NENW Section 17, T29N, R4E, expanded acres permit X-22058 for 198 irrigated acres in the NW & W1/2NE Section 17, T29N, R4E, and flow meter cost share FMLC-394. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Condon, seconded by Kramer to approve Karl Stratman well permit LC-395 for a well in the NWSW Section 13, T33N, R1E, expanded acres permit X-22059 for 60 irrigated acres in the NWSW & NESW Section 13, T33N, R1E, and flow meter cost share FMLC-395. Roll call vote: AYE: Armstrong, Condon Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing, and Christensen. Motion carried (9-0-2).

It was moved by Steffen, seconded by Howey to approve Iver Bruegman well permit LC-396 for a well in the NWNE Section 33, T30N, R3W, expanded acres permit X-22060 for 33 acres in the NE Section 33, T30N, R3W, and flow meter cost share FMLC-396. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Schmidt, seconded by Howey to approve Eric Bruegman expanded acres permit X-22061 for 100 irrigated acres in the NENE & S1/2NE Section 33, T30N, R3W, and pooling agreement P-22004. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Schmidt, seconded by Johnson to approve Orville and Patricia Steffen expanded acres permit X-22062 for 120 acres in the NW Section 8, T30N, R2E. Roll call vote. AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Steffen, seconded by Johnson to approve BV Land LLC expanded acres permit X-22063 for 133 acres in the SE Section 16, T29N, R2E and pooling agreement P-22055. Roll call vote. AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Condon, seconded by Kramer to approve Gary and Marilyn Kleinschmit well permits LC 397 & LC-398 for wells in the SENE Section 36, T32N, R1E and SENE Section 36, T32N, R1E, expanded acres permit X-22064 for 72 acres in the SWNE & N1/2SENE & S1/2NENE Section 36, T32N, R1E. and flow meter cost share FMLC-397. Roll call vote. AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Johnson, seconded by Weinandt to approve Michael Kurtzhals well permit LC-399 & LC-400 for wells in the NWSE Section 19, T30N, R3E & NWSE Section 19, T30N, R3E, expanded acres permit X-22065 for 133 acres in the SE Section 19, T30N, R3E, and flow meter cost share FMLC-399. Roll call vote. AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

It was moved by Weinandt, seconded by Armstrong to approve Fredrick and Diane Pick Trustees expanded acres permit X-22048 for 17 acres in the NWNW Section 34, T31N, R1E. Roll call vote: AYE: Condon, Howey, Johnson, and Weinandt. NAY: Armstrong, Kramer, Schmidt, Steffen, and Heine. ABSENT: Hoelsing and Christensen. Motion failed (4-5-2).

It was moved by Schmidt, seconded by Howey to approve David Arens well permit LC-385 in the NWNE Section 34, T33N, R2W, expanded acres permit X-22049 for 405 acres in the E1/2SW & W1/2SE Section 27 & E1/2 Section 34, T33n, R2W, and flow meter cost share FMLC-385. Roll call vote. AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, and Weinandt. NAY: None. ABSTAIN: Steffen. ABSENT: Hoelsing and Christensen. Motion carried (8-0-1-2).

It was moved by Johnson, seconded by Condon to approve GJRJ Farms LLC well permit LC-386 for a well in the SESW Section 35, T31N, R3W. Roll call vote. AYE: Armstrong, Condon, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: Heine. ABSENT: Hoelsing and Christensen. Motion carried (8-1-2).

It was moved by Weinandt, seconded by Armstrong to approve Glenn & Rosemary Kathol well permit LC-390 for a well in the SWNW Section 11, T30N, R1E and expanded acres permit X-22053 for 25 irrigated acres in the N1/2SWNW Section 11, T30N, R1E. Roll call vote. AYE: Armstrong, Condon, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: Heine. ABSENT: Hoelsing and Christensen. Motion carried (8-1-2).

Manager Sudbeck provided a summary of current drought conditions and NRD responsibilities attached to file copy of the minutes.

ADJOURN

It was moved by Howey, seconded by Johnson to adjourn the meeting at 10:15 pm. Roll call vote: AYE: Armstrong, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen and Weinandt. NAY: None. ABSENT: Hoelsing and Christensen. Motion carried (9-0-2).

MEMBERS PRESENT

Curtis Armstrong
Dave Condon
Carolyn Heine
Leroy Hoelsing
Gary Howey
Marcel Kramer
Russ Schmidt
Jeff Steffen
Matt Weinandt

GUESTS PRESENT

Annette Sudbeck, Manager
Scott Fiedler, CKRWP Program Manager
Myles Lammers, Water Resources Coord.
Kristi Hochstein, Office Coord.
Colton Krusemark, Bazile Area Technician
Sue Lackey, Hydrogeologist UNL
Rebekah Poppe, District Conservationist
Barry DeKay, District 40 Legislative candidate
Keith Kube, District 40 Legislative candidate
Natalie Peetz, Peetz & Co.

I, the undersigned Secretary for the Lewis & Clark Natural Resources District, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Board of Directors on October 20, 2022 and that all of the subject included in the foregoing proceeding were contained in the agenda for at least twenty four hours prior to said meeting; the minutes of the Chair and Board of Directors of said district were in written form and available for public inspection within ten working days and prior to the next convened meeting of the said body, that all news media requesting notification of the time and place of said meeting and the subject to be discussed at said meeting.

Board Secretary