

LEWIS & CLARK NRD MINUTES

March 22, 2024

Board Secretary Johnson called the March 22, 2024, meeting of the Lewis & Clark Natural Resources District (LCNRD) Board of Directors to order at 10:30 a.m. in the conference room at the LCNRD office. Johnson stated that prior notice of the meeting had been publicized according to policy designated by the board and that the Open Meetings Act is posted on the west wall of the meeting room. Roll call of members. Present: Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Steffen. Absent: Armstrong, and Weinandt.

CONSENT AGENDA

Consent agenda reviewed. *It was moved by Kramer, seconded by Steffen to approve minutes of the February 15, 2024, board meeting and the February 16 to March 22, 2024, consent agenda and CKRWP check #1078 for \$124,000 to Dale Burbach for land purchase payment. The consent agenda includes financial reports, cost share approvals, claims, corrections, and additions (attached to file copy of minutes). Roll call vote: AYE: Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Steffen. NAY: None. ABSENT: Armstrong and Weinandt. Motion carried (9-0-2).*

Chair Weinandt joined the meeting at 10:46 am.

SOURCE WATER PROTECTION – JOINT POSITION

Brian Bruckner, manager of the Lower Elkhorn Natural Resources District (LENRD), reviewed an opportunity to establish a joint position between LENRD, LCNRD and NRCS for a Source Water Protection technician to focus on conservation practice adoption to positively impact water quality in the wellhead protection areas of the district with focus on those where nitrates test over 5 parts per million. *It was moved by Schmidt, seconded by Johnson to submit an application for approximately \$100,000.00 annually for up to five years in support of a joint position between LCNRD, LENRD, and NRCS for a Source Water Protection technician. Up to 25% of the cost not covered by NRCS would be provided by LCNRD with the remainder provided by LENRD. Roll call vote: AYE: Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Armstrong. Motion carried (10-1-0).*

Wau-Col moved up on the agenda by Chair Weinandt. Heine reported on the Wau-Col March meeting and activities. Bruckner also answered board questions about the Wau-Col operations. The next Wau-Col meeting will be May 2nd.

Armstrong joined the meeting at 11:20 am.

BAZILE GWMA

Report from Lisa Lauver, Bazile Groundwater Management Area Coordinator, was provided in the director packet.

Chair Weinandt welcomed Matt Moser, USGS Physical Scientist who provided an update on the Bazile Creek nitrate gage and requested continued financial support for the gage for the 2024 season. Moser indicated discussions with Santee supported continued partnership for the gage. *It was moved by Steffen, seconded by Kollars to approve an agreement with USGS to maintain a nitrate gage on the Bazile Creek for the 2024 ice out season, LCNRD commits \$14,000 and the Santee Sioux Tribe will provide \$6,000. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (11-0-0).*

Chair Weinandt moved up on the agenda Natural Resources Commission (NRC). Steffen reported on the NRC meeting and activities.

Chair Weinandt welcomed Cassidy Wessel with the Nebraska Game and Parks Commission. Wessel proposed and answered questions about a possible wildlife habitat incentive program in the Bazile Groundwater Management Area. A proposal will be provided for consideration at a later date.

Steffen left the meeting at 12:00 pm.

DIRECTOR AND AGENCY ACTIVITIES AND REPORTS

NARD Activity: Kramer reported on the March NARD meeting in Lincoln and upcoming activities.

NRCS Reports: Rebekah Poppe, District Conservationist, reported on NRCS activities and provided a report in the packet. Jeanne Rosen, Program assistant in the Bloomfield NRCS office reported on program assistant activities for the first quarter and her attendance at the NARD conference in Washington DC. Ariel Fiedler, NACD Soil Conservationist in the Bloomfield office reported on the NACD conference in San Diego. Both Rosen and Fiedler thanked the board for allowing them each to attend the conferences.

A break was taken at 12:30 pm for lunch and reconvened at 1:00 pm.

ADMINISTRATIVE ACTIVITIES

NSWCP Average Cost Adjustment: Hochstein proposed to the board to add a new NSWCP 482 cost share line item for coco mats. The average cost would be set at \$2.43 and would be eligible for 65% cost share. It was moved by Schmidt, seconded by Lamb to approve the new cost share on coco mats with the average cost established at \$2.43 and eligible cost share rate at 65%. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Weinandt. NAY: None. ABSENT: Steffen. Motion carried (10-0-1).

Managers' Report: Sudbeck reported a producer who called and was looking to lease ground from a landowner who currently has a cease-and-desist order for irrigating due to noncompliance with NRD Rule 13. The producer inquired about what steps would need to be taken to be able to irrigate the acres. It was moved by Johnson, seconded by Kramer to lift the order to cease and desist irrigation of acres on property owned by Verlin Bruan upon fulfilling compliance with Rule 13 because as to the best of the information available to the NRD, irrigation has not occurred, and the order will have been honored. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Weinandt. NAY: None. ABSENT: Steffen. Motion carried (10-0-1).

Selection of 2024 Patefield-Green Scholarships: The packet containing scholarship application was sent to the directors prior to the meeting and their rank scores were returned to the office. Trenhaile presented the scores and the recommendation based on the scores for two recipients, each of \$1000 scholarship., Elizabeth Wortmann and Grayden Hochstein. It was moved by Armstrong, seconded by Condon to ward Elizabeth Wortmann of Crofton High School and Grayden Hochstein of Cedar Catholic High School to each receive a \$1000 Patefield Green scholarship. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Weinandt. NAY: None. ABSENT: Steffen. Motion carried (10-0-1).

Certification of Irrigated Acres: Trenhaile presented a modification in the number of acres for Todd and Patricia Pinkelman from 20 acres to 19 acres. It was moved by Heine, seconded by Schmidt to approve the certification modification from 20 acres to 19 acres on certification number 1215 for Todd and Patricia Pinkelman, and report included in the file copy of the minutes. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Weinandt. NAY: None. ABSENT: Steffen. Motion carried (10-0-1).

Well Permits, Expanded Acres, Flow Meter Requests: Lammers reviewed permits and it was moved by Kollars, seconded by Condon to approve the permit applications as stated below:

1. Michael & Tammie Schlote well permit LC-465R for a replacement well in the SESE Section 30, T29N, R4W.
2. Mason & Carrie Buschelman, no fee well permit LC-466NF for a well in the SENW Section 6, T31N, R1E.
3. Elliot Farms Inc no fee well permit LC-467NF for a well in the NENE Section 13, T30N, R1W.
4. BV Land LLC expanded acres permit X-24007 for 12 irrigated acres in the SENE and SWNE Section 18, T30N, R2E.
5. Carpenter Trust/Vernon & Joann expanded acres permit X-24008 for 69 acres in the NI/2SE Section 18, T30N, R2E and pooling agreement P-24002 with BV Land LLC.

6. Stevens Farms Inc well permit LC-468 for a well in the SWSE Section 14, T29N, R4W, expanded acres permit X-24009 for 91 acres in the S1/2SE Section 14 and NWNE Section 23, T29N, R4W, and flow meter cost share FMLC-468.
7. Patrick Hoelsing well permits LC-469 & LC-470 for wells in the SWSE Section and NWSE 18, T30N, R1E, expanded acres permit X-24010 for 71 irrigated acres in the W1/2SE Section 18, T30N, R1E, and flow meter cost share FMLC-469. Plans to comingle both wells.
8. Joe Noecker well permits LC-471, LC-472, LC-473, LC-474 for wells in the NESE and CenSE Section 29, T30N, R1E, expanded acres permit X-24011 for 133 irrigated acres in the SE Section 29, T30N, R1E, and flow meter cost share FMLC-471. Plans to comingle the wells.
9. Bow Valley Elevator well permits LC-477 and LC-476 for wells in the NENE and NWSE Section 25, T31N, R4W. Plans to comingle both wells.
10. Scott & Jennifer Heine well permits LC-477 and LC-478 for wells in the NENE and CenNE Section 10, T29N, R4W, expanded acres permit X-24012 for 317 irrigated acres in the E1/2 and NENW Section 10, T29N, R4W, and flow meter cost share FMLC-477. Plans to comingle both wells.
11. Bow Valley Elevator well permit LC-479 for a well in the NWSW Section 2, T30N, R3W and expanded acres permit X-24013 for 220 irrigated acres in the N1/2SW, NW and W1/2NE Section 2, T30N, R3W.
12. Bow Valley Elevator well permit LC-480 for a well in the NESW section 2, T30N, R3W and expanded acres permit X-24014 for 69 irrigated acres in the E1/2NE section 2, T30N, R3W.

Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Weinandt. NAY: None. ABSENT: Steffen. Motion carried (10-0-1).

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

CITY OF HARTINGTON - MARK BECKER

Chair Weinandt welcomed Mark Becker, City of Hartington Mayor. Becker proposed installing a water line and providing water from the City of Hartington for the Cedar Knox Rural Water Project.

RURAL WATER ADVISORY COMMITTEE RECOMMENDATIONS

Weinandt and Fiedler reported on CKRWP activities and presented recommendations from the March 8, 2024 meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- To approve minutes of the February 8, 2024, Cedar Knox Rural Water Project Meeting.
- To approve expenses from February 9 to March 14, 2024, including payment approved by the LCNRD Board of Directors at the February 15, 2024, meeting, to Jason Harmelink.
- To approve awarding the 2024 Galen Jueden Scholarship to the top ranked applicant, Tessa Haar, Cedar Catholic High School.
- To approve the water service contract with the City of Yankton as to form until final negotiated agreement.
- To approve authorize paying the Capital One credit card statement balance online after approved for payment by the LCNRD Board of Directors.
- To approve the Water Service Engineering Applications for Jeremy Schaaf, Sec 19 T33N R3W, Devils Nest Lots 2625 & 669, Knox County, for 1 Benefit Unit and Matthew Jonas, Sec 16 T33N R2W, Lot 23 in Walkers Valley View 2nd Addition, for 1 BU, and to approve the Forfeiture of Water Service for Doug Hans on Water Service Connection B009, 1BU.

It was moved by Heine, seconded by Kramer to approve the Cedar Knox Rural Water Project report and each recommendation stated above. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Schmidt, and Weinandt. NAY: Christensen, Kollars, and Lamb. ABSENT: Steffen. Motion carried (7-3-1).

It was moved by Lamb, seconded by Kollars to have the Rural Water Committee provide a recommendation as to whether they are interested in looking into the City of Hartington as a source for CKRWP. Roll call vote: AYE: Armstrong, Christensen, Condon, Kollars, Kramer, Lamb, and Schmidt. NAY: Heine, Johnson, and Weinandt. ABSENT: Steffen. Motion carried (7-3-1).

EXCUSED ABSENCES - CORRESPONDENCE REVIEW

Excused absences – N/A

ADJOURN

It was moved by Johnson, seconded by Christensen to adjourn the meeting at 3:21 pm. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Lamb, Schmidt, and Weinandt. NAY: None. ABSENT: Steffen. Motion carried (10-0-1).

MEMBERS PRESENT

Curtis Armstrong
Carly Christensen
Dave Condon
Carolyn Heine
Chris Johnson
Dan Kollars
Marcel Kramer
Carl Lamb
Russ Schmidt
Jeff Steffen
Matt Weinandt

GUESTS PRESENT

Annette Sudbeck, Manager
Scott Fiedler, Project Manager CKRWP
Myles Lammers, Assistant Manager
Kristi Hochstein, Office Coordinator
Rebekah Poppe, District Conservationist
Reed Trenhaile, Information & Education Technician
Colton Krusemark, Bazile/NRCS Technician
Jeanne Rosen, Program Assistant Bloomfield Office
Ariel Fiedler, NACD Soil Conservationist Bloomfield Office
Matt Moser, USGS Physical Scientist
Cassidy Wessel, Nebraska Game & Parks
Mark Becker, City of Hartington Mayor
Brian Bruckner, LENRD Manager

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 March 22, 2024 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