



## LOWER PLATTE SOUTH natural resources district

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Agenda Item #11

### Memorandum

**Date:** November 11, 2020  
**To:** Each Director  
**From:** Paul D. Zillig, General Manager  
**RE:** Water Resources Subcommittee Meeting Minutes.

The Water Resources Subcommittee met via video/teleconference at 5:30 p.m. on Tuesday, November 10, 2020. Subcommittee members participating included Bob Andersen, Chelsea Johnson, Karen Amen, Vern Barrett, Greg Osborn, and Dan Steinkruger. Others accessing the meeting included Directors Larry Ruth and Gary Hellerich, Dave Hladik of Valparaiso, Doug Hansen from Farmers National, Steve Seglin & Corey Wasserburger, Tracy Zayac, Mike Murren, Steve Herdzina, Nathan Kuhlman, Jared Nelson, Maclane Scott, Dick Ehrman, Dan Schulz, David Potter, and myself.

Chair Andersen opened the meeting and welcomed those in attendance. The first item on the agenda was to consider the probable violation of 2020 irrigation pumping in the Dwight-Valparaiso-Brainard Special Management Area for the Beverly Ragusa Trust well near Valparaiso. Andersen called on Doug Hansen to present their information to the Subcommittee, Hansen reported that he is the farm manager for the property and he reviewed the attached email & map and discussed the challenges of irrigating this farm. He reported that Dave Hladik has farmed this property many years and has done a good job as the tenant on this farm.

Dave Hladik reported that he had three items he wanted to bring up with the Subcommittee, they were:

1. Didn't understand exactly why the NRD established an allocation in the Dwight-Valparaiso-Brainard Special Management Area. Would like for the allocation to go away.
2. The farm has two wells that each irrigates a part of the farm, would like to combine the allocation and be able to apply it on any of the certified irrigated acres on the entire farm.
3. Initially the allocation was more for gravity irrigation, but that was reduced after last year. He would like his allocation restored to the previous limits.

Herdzina then reviewed his attached November 2<sup>nd</sup> memo and October 23<sup>rd</sup> Report of Investigation. The Subcommittee discussed the situation and the report. I reported that staff will provide Hansen and Hladik some background information concerning the purpose for the Special Management Area. Discussion centered around the effort and work to establish rules that would reduce the likelihood of groundwater problems, that this well was in violation a few years ago, the need to follow the rules & regulations, and the that this item is scheduled for Board consideration in December.

It was moved by Steinkruger, seconded by Osborn, and unanimously approved by the Subcommittee to recommend the Water Resources Subcommittee determine that a probable violation of the Dwight-Valparaiso-Brainard Special Management Area Rules & Regulations has occurred for Well G-069699 on the Beverly Ragusa Trust property as reported in the October 23, 2020 Report of Investigation and direct staff to notify the landowner as per the NRD Ground Water Rules & Regulations. The landowner has the option of requesting a public hearing prior to the Board taking any action on this item in December.

The next item on the agenda was to consider entering into a professional services agreement with the Phoenix Web Group for modifications to the NRD's groundwater database. Herdzina reviewed the attached memo and it was discussed by the Subcommittee. It was moved by Steinkruger, seconded by Amen, and unanimously approved by the Subcommittee to recommend the Board of Directors approve the professional services agreement for database improvements with the Phoenix Web Group in the amount not to exceed \$30,800.

The next item on the agenda was to consider a claim for damages from Stan and Bonnie Litty concerning the construction delays for the Oak-Middle 82-B project. Potter reviewed the attached map and the different impacts the delayed work is having on primarily the landowners ability to maintain fences and graze their pastureland. This summer we worked with the other two landowners on fencing solutions needed to keep cattle out of the construction site, staff feels the claim by the Litty's is fair and staff recommends we approve the claim.

It was moved by Osborn, seconded by Barrett, and unanimously approved by the Subcommittee to recommend the Board of Directors approve a claim submitted by Stan and Bonnie Litty in the amount of \$1,800 due to delays in construction of the Oak Middle Creek 82-B Rehabilitation Project, dependent upon Littys agreement to a Release of All Claims, and authorize the GM to approve a Release of All Claims, pending legal counsel review.

The next item on the agenda was a report by Hellerich on his concerns about the increased waste being produced by livestock in the NRD (primarily poultry) and his concern that other governmental entities are requiring incorporation of the waste/fertilizer which dries out the cropland and thus additional irrigation is needed where the NRD has established a groundwater allocation. He feels the NRD needs to review this situation and consider changes.

The next item were reports by Murren on construction at Oak-Middle 82-B and Upper Salt 3-A. Zayac then reported that the next step for the Irrigation Agreement from NRD dams is that staff is preparing maps that will assist with our efforts to review the status of the existing irrigation arrangements.

There being no additional business the meeting adjourned at 7:10 pm.

PDZ/pz

Encl. 4

cc: Steve Seglin & Corey Wasserburger