




## LOWER PLATTE SOUTH natural resources district

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### Memorandum

**Date:** June 7, 2022  
**To:** Each Director  
**From:** Paul D. Zillig, General Manager   
**RE:** Water Resources Subcommittee Meeting Minutes.

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The Water Resources Subcommittee met at 5:30pm on Thursday, June 2, 2022 in the NRD Large Conference Room. Subcommittee members participating included Susan Seacrest, Bob Andersen, Gary Hellerich, Chelsea Johnson, Bruce Johnson, Christine Lamberty, and Ken Vogel. Others present included Andrew Spader & David Hladik representing Beverly Ragusa Living Trust of Valparaiso, Deborah Eagan, Corey Wasserburger, Steve Seglin, Steve Herdzina, Maclane Scott, David Potter, and myself.

Chair Seacrest opened the meeting and welcomed those in attendance.

The first and only item on the agenda was to consider a Variance Request from the Beverly Ragusa Living Trust c/o Farmers National Company. Herdzina reported that the Ragusa farm is in the Dwight-Valparaiso-Brainard Special Management Area and the west well is currently under an Order due to a previous violation of the allocation. He stated that the Ragusa has filed a Variance Request, a copy of the requirements for a Variance Request and a draft resolution approving Variance Request #016 is attached.

Spader then reviewed the May 10<sup>th</sup> letter for the variance request. Spader pointed out the uniqueness of the farm being split by North Oak Creek with wells and certified irrigated acres for each well located on both sides of the creek and their request to be able to irrigate fields on both sides of the creek in 2022 with water from the east well and then in 2023 to use water from either well, in both cases only an amount within the limits of the Order and the Allocation.

The Subcommittee then discussed the request and a number of questions concerning the Variance. Herdzina then reviewed the draft resolution. It was moved by Vogel, seconded by Lamberty, to **recommend the Board of Directors approve the Resolution approving Variance Request #016 submitted by the Beverly Ragusa Living Trust.** (this motion was approved unanimously later in the meeting)

The Subcommittee discussed further the rules and heard from NRD Legal Counsel that it is difficult for rules to address every possible situation, for that reason the NRD has a variance

process to consider these unique situations, and in this case the variance makes sense, the penalty/Order is still being enforced, and no additional water is being allowed to be pumped.

The Subcommittee voted on the motion to recommend approval of the Resolution for Variance Request #016 with C. Johnson, Hellerich, Vogel, B. Johnson, Andersen, Lamberty, and Seacrest all voting "yes".

There being no additional business the meeting adjourned at 6:20 pm.

PDZ/pz

cc: Steve Seglin & Corey Wasserburger