




LOWER PLATTE SOUTH natural resources district

3125 Portia Street | P.O. Box 83581 • Lincoln, Nebraska 68501-3581
P: 402.476.2729 • F: 402.476.6454 | www.lpsnrd.org

Memorandum

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

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 10th 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

Section P Request for Variance

Rule 1 Information Required

- (a) Name, address, phone number, e-mail address;
- (b) State the section and rule pertaining to the variance request;
- (c) Aerial photo showing location of the variance request;
- (d) State why the variance is needed;
- (e) Map showing the name and address of all adjoining landowners;
- (f) A signed acknowledgement of notice by the adjoining landowners and water well owners;
- (g) Any other information the person making the request deems relevant; and
- (h) Any other information the District deems necessary.

Rule 2 Fee For Variance Request

- (a) Any applicant for a variance shall deliver to the District a non-refundable fee of \$500.00 for each variance request.

Rule 3 Appearance Before the Directors of the Lower Platte South NRD

- (a) Variance applicant may be required to appear before the Water Resources Subcommittee to explain the variance request.
- (b) Variance applicant may be required to appear before the Board of Directors.

Rule 4 Consideration of the Variance Request

- (a) All variance requests will be considered on a case by case basis.
- (b) All variance requests shall be acted upon by the Board of Directors.

Rule 5 Variance Terms and Conditions

- (a) The Board of Directors may place terms and conditions on the variance that the applicant must agree to by signing an affidavit which shall be recorded with the Register of Deeds.
- (b) If such terms and conditions are required by the Board, the applicant must provide the District with documentation that the affidavit was recorded within thirty (30) days of the granting of the variance.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

APPROVING VARIANCE REQUEST #016 SUBMITTED BY THE BEVERLY RAGUSA LIVING TRUST

WHEREAS, the Lower Platte South Natural Resources District (the “District”) is a political Subdivision of the State of Nebraska; and

WHEREAS, the District is charged with managing groundwater resources under the Nebraska Ground Water Management and Protection Act, NEB. REV. STAT. §§ 46-701 to 46-754 (the “Act”); and

WHEREAS, the District has adopted Ground Water Rules and Regulations pursuant to the Act (“Rules”); and

WHEREAS, the District, under its Rules, has designated a Special Management Area in 2014 for the Dwight-Valparaiso-Brainard area (“DVB Special Management Area”) and set an allocation for the use of groundwater from any water well in the DVB Special Management Area for irrigation of certified acres; and

WHEREAS, the Beverly Ragusa Living Trust owns land with certified irrigated acres in the DVB Special Management Area, specifically located in the Northeast ¼ of Section 27, Township 13 North, Range 5 East, Saunders County, Nebraska (the “Land”); and

WHEREAS, the Land is divided by North Oak Creek and has historically been treated as two separate fields under the District’s Rules, with the east field comprising approximately 77.3 acres (“East Field”) and the west field comprising approximately 48.4 acres (“West Field”); and

WHEREAS, Well G-033528 is located on the East Field and Well G-069699 is located on the West Field; and

WHEREAS, Well G-033528 and Well G-069699 are located approximately 800 feet apart; and

WHEREAS, a hearing was held before the Board of Directors of the Lower Platte South Natural Resources District on December 16, 2020, to determine whether the Beverly Ragusa Living Trust and its tenant, Dave Hladik, had exceeded the allocation of groundwater from Well G-069699 during the 2020 calendar year; and

WHEREAS, at the hearing on December 16, 2020, it was determined that a violation of the District’s Rules had occurred; and

WHEREAS, on December 22, 2020, an Order on Violation of Allocation of Groundwater was entered (“Violation Order”) relating to Well G-069699; and

WHEREAS, the Violation Order applied a penalty to the allocation for Well G-069699 for subsequent allocation periods beginning in the 2021 calendar year in the total amount of 8.02 acre-inches; and

WHEREAS, the Violation Order required that the Beverly Ragusa Living Trust and Dave Hladik not pump or otherwise use groundwater from Well G-069699 in the 2021 and 2022 calendar years, and that beginning in the 2023 calendar year, that the allocation from Well G-069699 be reduced by 0.03 acre-inches for the purposes of determining the maximum 2023 annual allocation and maximum three-year rolling allocation under the District's Rules; and

WHEREAS, neither the Beverly Ragusa Living Trust nor Dave Hladik appealed or otherwise challenged the terms of the Violation Order; and

WHEREAS, on May 10, 2022, the Beverly Ragusa Living Trust, by and through Farmers National Company and Dave Hladik, submitted a Request for Variance, seeking to have Well G-033528 and Well G-069699 treated as a single unit for purposes of determining compliance with the District's Rules regarding allocation of groundwater beginning in 2023 and seeking permission to utilize the allocation available for Well G-033528 in 2022 on both the East Field and the West Field by running irrigation pipe across the streambed that divides the two fields.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Lower Platte South Natural Resources District grants the Request for Variance submitted by the Beverly Ragusa Living Trust, by and through Farmers National Company and Dave Hladik, on May 10, 2022, and finds that Well G-033528 and Well G-069699 shall be treated as a single unit for purposes of determining compliance with the District's Rules regarding allocation of groundwater beginning in 2023. In support of this action, the Board of Directors of the Lower Platte South Natural Resources District finds that unique circumstances exist which make it appropriate to treat Well G-033528 and Well G-069699 as one unit for purposes of determining compliance with the District's Rules regarding allocation of groundwater, including, but not limited to, the proximity of the two wells to each other, the assessment of the Land as one parcel by the Saunders County Assessor, the approval by the District of the combined number of acres from the East Field and the West Field as the total number of certified irrigated acres for the Land on the Certification of Irrigated Acres Form, the historical use of groundwater from Well G-033528 on the West Field, and the existence of North Oak Creek, which divides the Land into two fields; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Lower Platte South Natural Resources District grants the Request for Variance submitted by the Beverly Ragusa Living Trust, by and through Farmers National Company and Dave Hladik, on May 10, 2022, and grants permission to utilize the allocation available for Well G-033528 in 2022 on both the East Field and the West Field by running irrigation pipe across the streambed that divides the two fields. In support of this action, the Board of Directors of the Lower Platte South Natural Resources District finds that such action will not increase the overall quantity of water available to be used on the Land in 2022, as the Request for Variance only seeks to use the allocation already available on Well G-033258 in 2022 on the East Field (9 acre-inch maximum across approximately 77.3 acres), and potentially apply that same quantity of water across both the East Field and the West Field in 2022 (5.53 acre-inch maximum across approximately 125.7 acres). Further, such action is

consistent with the decision to treat Well G-033528 and Well G-069699 as a single unit for purposes of determining compliance with the District's Rules regarding allocation of groundwater beginning in 2023.

BE IT FURTHER RESOLVED, that terms of the Violation Order remain in full force and effect, and the Beverly Ragusa Living Trust, its successors, assigns, and agents, including but not limited to Farmers National Company and Dave Hladik, shall comply with its terms and shall not pump or otherwise use groundwater from Well G-069699 in the 2022 calendar year, and that beginning in the 2023 calendar year, the allocation from the combined unit of Well G-033258 and Well G-069699 shall be reduced by 0.03 acre-inches for the purposes of determining the maximum 2023 annual allocation and maximum three-year rolling allocation under the District's Rules.

Adopted by the Board of Directors of the Lower Platte South Natural Resources District on June 15, 2022, and executed by the Board's authorized representative.

Deborah Eagan, Chair

Attest: _____
Paul Zillig, General Manager

M♦R
MATTSON RICKETTS
LAW FIRM

May 10, 2022

VIA HAND DELIVERY

Attn: Steve Herdzina
Lower Platte South Natural Resources District
3125 Portia Street
P.O. Box 83581
Lincoln, NE 68501-3581
lpsnrd@lpsnrd.org

Jacob C. Garbison
Reginald S. Kuhn
Stephen D. Mossman o
Jenniffer A. Panko-Rahe Δ
Sally A. Rasmussen Δ
Andrew R. Spader
J. L. Spray Δ
Scott W. Steele
Christina L. Usher o
Patricia L. Vannoy o
Joseph A. Wilkins Δ
Hon. Randall L. Rehmeier (Ret.), Of Counsel

oAlso Admitted in Colorado
ΔAlso Admitted in Iowa

Offices in Lincoln, Nebraska City, and Syracuse
www.mattsonricketts.com

RE: Request for Variance NE ¼ 27-13N-5E, Saunders County, Nebraska

Dear Steve:

Enclosed please find a Request for Variance for the NE ¼ 27-13N-5E, Saunders County, Nebraska. Also enclosed is a check in the amount of \$500 from Mr. David Hladik for the Variance Request Fee.

The Request has been signed by Farmers National Company pursuant to a power of attorney for the Beverly Ragusa Living Trust. A copy of the power of attorney is included with the Request for reference. If the Water Resources Subcommittee or the Board would like to speak with Mr. Hladik or myself concerning the Request, we would be happy to do so.

Please let me know if you have any questions.

Sincerely,


Andrew Spader

ARS/abm
Enclosures

cc: David Hladik (via e-mail)
Doug Hansen (via e-mail)
Steve Herdzina (via e-mail)

134 South 13th Street, Suite 1200
Lincoln, Nebraska 68508

(402) 475-8433 Phone
(402) 625-0775 Fax



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REQUEST FOR VARIANCE

Landowner Name: Beverly Ragusa Living Trust c/o Farmers National Company

Address: PO Box 542016 Phone: (402) 496-4197

City: Omaha State & Zip: NE 68154-2016

Field Information:

Legal: NE ¼, Section 27, Township 13N, Range 5E, Saunders County

Groundwater Rules and Regulations: Section R Rule 2(c)

Explanation of Variance Request (Use additional pages if needed):

Please see page 3 of the attached letter dated August 20, 2021.

Required Attachments:

Aerial Photo (required)	<input checked="" type="checkbox"/>	N
Map of Adjoining Landowners (Name and Addresses)	<input checked="" type="checkbox"/>	N
Signed Acknowledgement of Notice by Adjoining Landowners / Well owners	<input checked="" type="checkbox"/>	N
Non-refundable \$500 Variance Request Fee	<input checked="" type="checkbox"/>	N

Beverly Ragusa Living Trust
by: Dy/Erdman - Farm Manager
Landowner Signature: For: Farmers National Co - Agent Date: 5/4/2022

LPSNRD Use Only:

LPSNRD Approval: _____ Date: _____



Farm Name: BEVERLY RAGUSA

Farm Number: 1403

Professional Agricultural Services Agreement (Complete Management Service)

General

This Professional Agricultural Services Agreement ("The Agreement") is entered into between Farmers National Company, ("Farmers National"), and the legal owners of the agricultural property subject to this Agreement, ("Clients.")

Farmers National is a Nebraska Corporation whose corporate offices are located at 11516 Nicholas Street, Suite 100, Omaha, Nebraska, 68154. The Clients are more fully identified on the Client Information sheet, attached.

The agricultural property subject to this Agreement ("The Property") is described under the Legal Description, below.

The parties acknowledge and agree that the terms of this agreement may only be changed by the mutual agreement of the parties, in writing. The parties also agree that whenever any of the information contained in this Agreement, or any of its attachments, changes, they will promptly notify the other party in writing. The notification of changes made to Farmers National shall be made to the Customer Service Department at the address set forth above. The Agreement or the appropriate attachment(s) hereto, shall be modified to reflect any such changes.

Professional Agricultural Management Services

Farmers National is duly licensed and qualified to provide Professional Agricultural Property Management for the Clients. The Clients desire Farmers National to provide such services under the terms and conditions set forth herein. Such services shall include, but shall not necessarily be limited to those set out in the Professional Agricultural Management Services section, below.

The parties acknowledge that this Agreement does not attempt to include all of the details relative to the professional agricultural management services provided to the Clients, but it is intended to provide a general understanding of the duties and responsibilities of the parties.

Term of Agreement

This Agreement shall take effect on the date set forth below, and shall remain in full force and effect thereafter until terminated in writing by either party, by giving the other party advance written notice of termination between August 1st and September 30th of any calendar year. Such notice shall cause the Agreement to be terminated effective March 1st of the following calendar year, unless otherwise mutually agreed between the parties.

If this Agreement is terminated by the Clients, they agree that, for a period of one year following the effective date of termination, they will not directly or indirectly enter into an agricultural management agreement or similar relationship with any employee or former employee of Farmers National. This limitation shall apply only to employees or former employees of Farmers National who have personally participated in providing agricultural services to the Clients during the term of this Agreement.

Agency Relationship

It is mutually understood and agreed that the relationship between the Clients and Farmers National shall be that of Principal and Agent. The clients acknowledge having been provided with the Agency Relationship Disclosure that accompanies this Agreement.

The relationship of Principal and Agent shall be limited to the particular Agricultural Management Services contracted for hereunder. As so limited, the duties, responsibilities and authorities of the parties hereto shall be governed by the Laws of Principal and Agent in effect in the state where the Property is located.

Revised 6/98

Agricultural Management Fees

The Clients agree to pay Farmers National a base fee. Base fees are structured upon the anticipated ongoing volume of agricultural management activities to be performed. The base fee to be paid by the Clients is set out under the Agricultural Management Fees, below.

The Clients agree to pay Farmers National percentage fees based on the gross farm income and are charged in addition to the base fees. Percentage fees are charged and collected as income is received. All income is to be paid directly to Farmers National so that it can be properly accounted for. Percentage fees are based upon the lease type or operating arrangement utilized on the Property during the farm year, and are set out under the Agricultural Management Fees, below.

If this Agreement is terminated, the Clients agree to make a final percentage fee payment to Farmers National, based upon the estimated inventories of crops and/or livestock as of the effective date of termination. The final percentage fee shall be due and payable on or before the effective date of termination.

In the event the Property is sold and the transaction is closed during the term of this Agreement, management fees shall be prorated to the date of closing.

Accounting

Farmers National will perform all of the agricultural accounting associated with the management of the Property, in conformity with its usual and customary accounting practices, and in accordance with any specific guidance provided by the Clients on the Special Accounting Instructions sheet which is attached. Specialized or customized accounting activities may be subject to an extra charge.

It is mutually understood and agreed that whenever Farmers National pays for items or services that are needed for the management or operation of the Property, the Clients will fully reimburse Farmers National. With respect to major improvements, however, Farmers National shall confer with and obtain the prior approval of the Clients before commencement of the project.

The Clients may provide for their funds to be held in an interest bearing trust account. If so desired, the Clients shall execute the Interest Bearing Account Authorization form attached.

If the Clients have directed Farmers National to utilize an interest bearing account in the management of the Property, Farmers National may secure reimbursement for the costs of such items or services from funds available in said account. If no such account is utilized, or if the funds in the account are insufficient to cover the payments made, Farmers National will advise the Clients of the amount due on the accounting statement sent to the Clients at the end of the month. The Clients will reimburse Farmers National for the full amount due upon receipt of the statement. In the event that reimbursement is not received when due, the Clients agree to pay a service charge to Farmers National.

Declaration of Authority & Power of Attorney

The Clients, by executing this Agreement, grant the authorized employees of Farmers National access to any relevant governmental records pertaining to the Property and germane to its professional management.

In addition, the authorized employees of Farmers National are authorized to act in the name, place and stead of the Clients with respect to the professional agricultural management of the Property. The authorized employees of Farmers National are vested with full power and authority to do and perform all actions necessary or appropriate to the professional agricultural management of the Property. This shall include the execution, delivery and/or recording of any documents, forms or other papers, as fully to all intents and purposes as the Clients might or could do, with full power of substitution and revocation. The Clients ratify and confirm all that the duly authorized employees of Farmers National lawfully do or cause to be done on behalf of the clients.

The Clients agree to give Farmers National any additional Powers of Attorney needed to professionally manage the Property in the manner described herein. This may include, but is not limited to, Powers of Attorney required by government agencies for participation in government programs.

This Agreement shall be binding upon the heirs, successors, assigns, or personal representatives of the parties hereto.

Effective Dates

Agricultural Services Agreement entered into between the parties on: May 2, 2000

Management services shall commence on: May 2, 2000

Legal Description of the Property

State: Nebraska County: Saunders Approximate Acres: 152

Legal Description: North east Quarter (NE 1/4) of Section Twenty-seven (27), Township Thirteen (13), North, Range Five (5), East of the 6th P.M., Saunders County, Nebraska Except any part covered or used for public road purposes.

Professional Agricultural Management Services

The Professional Agricultural Management Services that Farmers National will perform are as follows: (Check all that apply)

- ☐ 1. Prepare an operating plan and budget for the improvements on the Property.
- ☐ 2. Analyze any applicable Government Farm Program considerations.
- ☐ 3. Develop an annual operating plan and budget for the agricultural operation.
- ☐ 4. Prepare necessary crop and/or livestock marketing plans.
- ☐ 5. Formulate recommendations regarding farm or ranch operators.
- ☐ 6. Analyze alternative lease types or operating arrangements.
- ☐ 7. Negotiate and prepare an annual lease or operating agreement on the Property.
- ☐ 8. Recommend annual crop plans on the Property.
- ☐ 9. Develop risk management and crop insurance recommendations on the Property.
- ☐ 10. Review all applicable property and liability insurance needs.
- ☐ 11. Process the payment of the Client's real estate taxes on the Property.
- ☐ 12. Conduct routine inspection visits to the farm and/or meetings with the operator.
- ☐ 13. Prepare routine narrative status reports to the Clients.
- ☐ 14. Provide accounting services, including periodic and annual reports to the Clients.
- ☐ 15. Examine the property to identify open and obvious areas of environmental concern.
- ☒ 16. All of the above.

Crop Marketing Directions

Unless otherwise directed by the Clients on a case by case basis, the Clients direct Farmers National to handle the marketing of crops as follows:

- ☐ Market according to Farmers National's recommendations. ☐ Sell crops at harvest.
- ☒ Consult with the Clients prior to sale. ☐ Do not handle marketing

The parties have mutually agreed to the following additional arrangements relative to the services to be provided:

If unable to reach client market according to Farmer's National recommendations. Re

Agricultural Services Management Fees

The Clients and Farmers National have agreed to the following Agricultural Services Management Fees:

1. Base Management Fee: \$600
2. Percentage Management Fees:
 - a. Cash Rent Lease -- 8%
 - b. Bushel Rent Lease -- 9%
 - c. Blended Share Lease -- 9%
 - d. Crop Share Lease -- 10%
 - e. Custom Operating Agreement -- 8%
 - f. Rental House -- 20%
 - g. Sale of Previous Crop Inventory --5%

Base fees will be collected semi-annually on March 15th and October 15th of each farm year this Agreement is in effect.

In cases where a Property is operated with multiple lease types and/or operating arrangements, Percentage Management Fees shall be calculated based upon the dominant lease type in use on the farm during the farm year. The dominant lease type shall be determined based upon where the majority of the farm income is derived.

The Clients and Farmers National have further agreed as follows: Base fee to be prorated for 2000 to the amount of \$450.00 instead of the \$600.00

Clients

Signature: Doreen Ann Ragner Signature: _____
Signature: _____ Signature: _____

Acceptance By Farmers National Company

Signature: Former Math. Co. Signature: _____
By: Don Furesek By: _____

Attachments (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Special Accounting Instructions | <input checked="" type="checkbox"/> Principal Correspondent Designation |
| <input checked="" type="checkbox"/> Interest Bearing Account Authorization | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Agency Relationship Disclosure | |



Jacob C. Garbison
Reginald S. Kuhn
Stephen D. Mossman o
Jenniffer A. Panko-Rahe △
Sally A. Rasmussen △
Andrew R. Spader
J. L. Spray △
Scott W. Steele
Christina L. Usher o
Patricia L. Vannoy o
Joseph A. Wilkins △
Hon. Randall L. Rehmeier (Ret.), Of Counsel

August 20, 2021

VIA E-MAIL

Attn: Water Resources Subcommittee
Lower Platte South Natural District
3125 Portia Street
P.O. Box 83581
Lincoln, NE 68501-3581
lpsnrd@lpsnrd.org

△ Also Admitted in Colorado
△ Also Admitted in Iowa

Offices in Lincoln, Nebraska City, and Syracuse
www.mattsonricketts.com

RE: David Hladik

Dear Sir or Madam:

Introduction

Our firm represents David Hladik with respect to issues concerning his water allocations in Saunders County. Mr. Hladik has appeared before the Lower Platte South NRD at several points in the past, and the purpose of this letter is to provide some context for the irrigated farmland and wells at issue, its historical use, and, hopefully, facilitate a productive discussion.

At the outset, I want to make clear that we are not requesting that Mr. Hladik be permitted to exceed the allocation set forth in Section R, Rule 2(c) of the Lower Platte South NRD's Groundwater Rules and Regulations, nor do we seek to overturn the reduction of 8.02 acre-inches as assessed in the Order of Violation dated December 22, 2020 ("Order of Violation").

Rather, Mr. Hladik seeks only to treat irrigation wells G-033528 and G-069699 (the "Irrigation Wells") as a single unit for purposes of determining compliance with irrigation allocations for the certified irrigated acres in the NE 1/4, Section 27, T13N, R5E, Saunders County, Nebraska (the "Property").

Background

For context, the Property is owned by the Beverly Ragusa Living Trust, and managed by Doug Hansen with Farmer's National Company. Mr. Hladik has been the longtime tenant of the Property. Doug Hansen has consented to treating the Irrigation Wells as a single unit. See Exhibit "A."

134 South 13th Street, Suite 1200
Lincoln, Nebraska 68508

(402) 475-8433 Phone
(402) 625-0775 Fax

The Property is a quarter section of land, with a creek running through it. Well G-033528 is on the east side of the creek and well G-069699 is on the west side of the creek. *See Exhibit "B."* The west portion of the Property has come before the Lower Platte South NRD on two separate occasions in conjunction with exceeding the irrigation allocation, once in 2016 and more recently in 2020. There has never been an issue with exceeding the irrigation allocation on the east portion of the Property.

There are several reasons that the Irrigation Wells should be treated as a single unit. First, the Property has historically been managed as a single unit; prior to the installation of well G-069699 on the west portion of the property, Mr. Hladik used well G-033528 to irrigate the west portion by running pipe across the creek. In 2011, when the Certification of Irrigated Acres for the Property was filed, the Property was certified with 125.7 irrigated acres, without distinction between the east and west portions. *See Exhibit "C."*

Second, treating the Irrigation Wells as a single unit allows Mr. Hladik the flexibility to more efficiently use water, based on the topography of the Property and crop needs. The west portion of the Property has less slope than the east portion, which causes water to move through the west portion more slowly. *See Exhibit "B."* Additionally, the Property is planted to both corn and soybeans every year, and Mr. Hladik rotates the east and west portions between the two different crops.

In short, the west portion generally requires more water to irrigate than the east portion, and corn requires more water to irrigate than soybeans. Treating the Irrigation Wells as a single unit allows Mr. Hladik the flexibility to minimize water usage where it is less needed and allows him to efficiently use that water on those parts of the Property where it is most beneficial.

Third, the Property is not unique in that it has multiple irrigation wells on it. There are numerous other fields within the Lower Platte South NRD that contain multiple irrigation wells, and on these properties, these wells are considered a single unit for purposes of compliance with irrigation allocations.

Fourth, historically if the Irrigation Wells were treated as a single unit, Mr. Hladik would have been in compliance with the allocation requirements for 2016 (which at that time was a 12 inch/year and 30 inch/3 year maximum allocation for gravity irrigation), and would have only exceeded the yearly allocation for 2020 by 0.40 inches. *See Exhibit "D."*

Finally, while there has not been a 2021 reading on the Irrigation Wells, Mr. Hladik has used minimal irrigation water during the 2021 growing season. He has not used any from well G-069699 (which cannot be pumped pursuant to the Order of Violation), and has only pumped well G-033528 for a few nights in August. This demonstrates Mr. Hladik's desire to make efficient use of irrigation water on the Property.

Request

Mr. Hladik is not requesting that the Order of Violation, be altered with respect to the 8.02 acre-inches of water against the 48.4 acres of the west portion of the Property. Instead, Mr. Hladik respectfully requests that beginning in 2023, the Irrigation Wells be treated as a single unit for purposes of determining the irrigation allocation for the Property, and that for 2022 he be allowed to utilize his 9 acre-inch allocation for the east 77.3 acres over the entire Property. For reference, a copy of the Order of Violation is attached hereto as Exhibit "E."

It is important to highlight that Order of Violation also imposed an 8.97 acre-inch maximum allocation for the 2023 calendar year, and a 20.97 acre-inch maximum allocation for the three-year period beginning with the 2023 calendar year, and even when the Irrigation Wells are considered together Mr. Hladik did exceed the one year maximum allocation in 2020. Accordingly, we believe that should the Irrigation Wells be considered as a single unit beginning in 2023, it would be administratively efficient and fair to impose this 8.97/20.97 acre-inch restriction over the entire Property for the three year period beginning in 2023.

Additionally, for the 2022 calendar year, Mr. Hladik respectfully requests that he be permitted to utilize what remaining allocation he has for the east 77.3 acres of the Property on both the east and west portions of the Property. Effectively, because he has pumped well G-033528 very little in 2021, this means that he would be restricted to the 9 acre-inch maximum yearly allocation. Thus, this gives Mr. Hladik a total of 695.7 acre-inches (9 inches * 77.3 acres) for the Property in 2022, or 5.53 acre-inches if used on both the east and west portions (695.7 acre-inches / 125.7 acres).

Depending on the Subcommittee's preference, Mr. Hladik could irrigate the west portion using well G-033528 and running irrigation pipe across the creek (the historical use of the property), or by using well G-069699. Using well G-069699 might technically be a modification of the Order of Violation, but if both well G-069699 and well G-033528 are restricted to a combined maximum total of 695.7 acre-inches for 2022, this would be consistent with the penalty imposed by the Order of Violation.

Sincerely,



Andrew R. Spader

ars@mattsonricketts.com

ARS/eal
Enclosures

cc: David Hladik (via e-mail)
Doug Hansen (via e-mail)
Steve Herdzina (via e-mail)

CONSENT

The Beverly Ragusa Living Trust consents to treating irrigation wells G-033528 and G-069699 as a single unit for purposes of determining compliance with irrigation allocations for the certified irrigated acres in the NE 1/4, Section 27, T13N, R5E, Saunders County, Nebraska.

Dated: August 19, 2021

*Doug Hansen - Farm Manager
For: Farmers National Co - Agent*

By: Doug Hansen, Farm Manager for the Beverly
Ragusa Living Trust
Farmer's National Company

EXHIBIT

A



EXHIBIT B

West side of creek has 3 different pipe sets that has to run water 4 different directions to properly water crop. Less slope on west side means water moves through field slower than east.

Odd shape of fields due to creek makes converting to Center Pivot difficult

Yellow lines represent Pipe lay out, black arrows show water flow direction.

2020 Crop Acres Lease Type – CS Operator – David Hladik

58.9 Ac	Corn (50%)
66.8 Ac	Soybeans (50%)
26.3 Ac	Roads, Creek, Trees & Field Margins
152.00 Ac	Total



Farm # – 17055 RAGUSA
FSA #2143
NE ¼ Sec 27-13N-5E
Saunders County NE

Doug Hansen, Farm Manager
Imagery Source: USDA NAIP
Maps Are For Visual Aid Only
Boundaries Are Approximate
Date: 01/17/2014

NONHCA-130527.03



Lower Platte South
Natural Resources District

3125 Portia Street
P.O. Box 83581
Lincoln, NE 68501-3581
Phone: (402) 476-2729
FAX: (402) 476-6454
www.lpsnrd.org

CERTIFICATION OF IRRIGATED ACRES

Landowner Name: Beverly Ragusa Living Trust
(As listed on Deed)

☒ Yes ☐ No Is Landowner the owner of the well?

Business Name: 4 Farmers Mutual Co

Address: P.O. Box 540 659
Street

Omaha NE 68154
City State ZIP

Phone: Home: (402) 476-444 Business: (402) 496-4197 Cell: -----

Email: D Hansen @ farmers mutual .com

Tenant/Other Contact: Dave Hladik

Address: 2929 City Rd. D
Street

Valparaiso NE 68066
City State ZIP

Phone: Home: (402) 784-6216 Business: () Cell: (402) 540-0909

Email: _____

INSTRUCTIONS: Please fill out the information on the reverse side of this form indicating the acres that you wish to certify as irrigated. You may fill out one form for all of your acres if they are reasonably close together, or feel free to use additional forms or photocopy the reverse side for acres you wish to certify on separate farms or tracts. Please include the following with your application:

- An aerial photo indicating:
 - the number of acres in each field or tract to be certified;
 - whether these acres are irrigated by ground water, surface water, or both;
 - the method used to irrigate (furrow, pivot, etc.); and
 - the location of the well(s) and/or surface water diversion point(s) used to irrigate the indicated fields or tracts. If current registered well location is incorrect, a DNR modification form will be required. ☐ **Location Needs Corrected.**
- Documentation showing that the number of irrigated acres to be certified corresponds with County Assessor's records. Acres to be certified must be taxed as irrigated acres.
- NOTE: Much of the above information is often contained on Form 578 from the Farm Services Agency (FSA). Although this form is not required, it is suggested that you attach a copy of it if available.

EXHIBIT

C

IRRIGATED ACRES INFORMATION (fill out additional sheets if necessary):

Legal Description of Irrigated Acres: NE 1/4 of _____ 1/4, Section(s) 27,

Township 13 North, Range 15 East

County: Lincoln Sanborn

Assessor's Parcel ID (if known): 0000 54000

Number of Irrigated Acres (must correspond with Assessor's record): 125.7

Number of Acres Irrigated by: Ground Water Only: 125.7

Surface Water Only: _____

Combination of Ground & Surface Water: _____

Well Registration Number(s; if applicable): G - 069699 & G - 033528

Does Irrigation Well Have a Water Meter Installed? X Yes _____ No

Surface Water Appropriation Number(s; if applicable): _____

Irrigation Method (check all that apply):

Furrow/Surface X

Center Pivot _____

Tow Line _____

Volume Gun _____

Other (List) _____

Checklist of Attachments:

Aerial Photo (required)

(Y)

N (may be copied to DNR)

Assessor's Record (required)

(Y)

N (may be copied to DNR)

FSA Form 578 or other FSA information (optional)

(Y)

N

Comments: _____

Landowner Signature: [Signature] Date: 1/24/11

I recognize that this form also serves as a Nebraska Department of Natural Resources form and acknowledge that a copy of this form may be sent to the Department. For any registered well that is identified on this form, the Department may use the information herein to process a change of well ownership, location of water use or a change in number of acres irrigated by the well. The Department shall not collect a fee for the filing of this form.

LPSNRD Use Only:

LPSNRD Approval: [Signature]

Date: 2-24-11

The Lower Platte South Natural Resources District hereby certifies 125.7 acres as Ground Water Irrigated Acres, and _____ acres as Surface Water Irrigated Acres.

DATE: 12-22-2010

Producer Name and Address

BEVERLY A RAGUSA LIVING TRUST
 FARMERS NATIONAL CO AGT
 PO BOX 540659
 OMAHA, NE 68154-0659

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

Farm Number	Tract Number	CLU/Field	Ir Pr	Var/ C/C	Int Type	Int Use	C/C Stat	Rpt Quantity	Reported Quantity	Determined Quantity	Crp Lnd	Planting Date	Prod Share	Prod Name	RMA Opt	Unt
2143	2916	1A	Ir	SOYBN COM	Grain	I	A	42.40			Y	05-12-2010	.5000	BEVERLY A RAGUSA LIVING T		
													.5000	DAVID J HLADIK		
		2B	Ir	SOYBN COM	Grain	I	A	18.40			Y	05-12-2010	.5000	BEVERLY A RAGUSA LIVING T		
													.5000	DAVID J HLADIK		
		1B	Ir	CORN YEL	Grain	I	A	6.00			Y	04-29-2010	.5000	BEVERLY A RAGUSA LIVING T		
													.5000	DAVID J HLADIK		
		2A	Ir	CORN YEL	Grain	I	A	58.90			Y	04-29-2010	.5000	BEVERLY A RAGUSA LIVING T		
													.5000	DAVID J HLADIK		

Photo Number/Legal Description: 2916 NE 27-13-5

Cropland: 125.7 Farmland: 150.0

C/C	Type	Prac	IU	Reported	Determined	C/C	Type	Prac	IU	Reported	Determined
SOYBN	COM	I	GR	60.80		CORN	YEL	I	GR	64.90	

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

RECEIVED
 JAN 18 2011
 NEBRASKA DEPT. OF REVENUE
 PROPERTY ASSESSMENT DIVISION



United States Department of Agriculture
Farm Service Agency

December 02, 2009

PLSS: 27_13_5E **Saunders County, NE**
Farm: 2143
1 inch equals 689.7 feet 1:8,277

2009 Ortho-Photography-Not to Scale



Wetland Legend

tsa_gis_layers.SDE.wet_p_ne155

Wetland Determination Identifiers



Wetland



Wetland



Wetland

Example from Conservation Compliance Provisions

RECEIVED

JAN 18 2011

Disclaimer: Wetland Identifiers do not represent the size, shape or specific determination of the area.
Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

**NEBRASKA DEPT. OF REVENUE
PROPERTY ASSESSMENT DIVISION**

Beverly Ann Ragusa Certified Irrigated Acres Non-HCA (LPSNRD)



0 250 500 1,000
Feet

- Reg Irrigation Wells
- Reg Commercial Wells
- Certified Irr Areas (Non-HCA)
- Section Lines
- Parcel Lines
- Cities



Map Created: August 2011 - LPSNRD, sdr

Beverly Ragusa Trust Pivot/Gravity Irrigated Usage Calculations East Well (G-033528) and West Well (G-069699)

Operated by Dave Hladik (GP11-3195)

Year	Well Reg #	2013 Reading	2014 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2014	G-069699	670704	795785	125081	12508100	460.64	9.52	48.4
Year	Well Reg #	2013 Reading	2014 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2014	G-033528	818008	945973	127965	12796500	471.26	6.10	77.3
COMBINED TOTAL						931.89	7.41	125.7

Year	Well Reg #	2014 Reading	2015 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2015	G-069699	795785	936914	141129	14112900	519.74	10.74	48.4
Year	Well Reg #	2014 Reading	2015 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2015	G-033528	945973	1063645	117672	11767200	433.35	5.61	77.3
COMBINED TOTAL						953.09	7.58	125.7

Year	Well Reg #	2015 Reading	2016 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2016	G-069699	936914	1137922	201008	20100800	740.25	15.29	48.4
Year	Well Reg #	2015 Reading	2016 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2016	G-033528	63645	182707	119062	11906200	438.47	5.67	77.3
COMBINED TOTAL						1178.72	9.38	125.7

Year	Well Reg #	2016 Reading	2017 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2017	G-069699	137922	208172	70250	7025000	258.71	5.35	48.4
Year	Well Reg #	2016 Reading	2017 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2017	G-033528	182707	231570	48863	4886300	179.95	2.33	77.3
COMBINED TOTAL						438.66	3.49	125.7

Year	Well Reg #	2017 Reading	2018 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2018	G-069699	208172	208172	0	0	0.00	0.00	48.4
Year	Well Reg #	2017 Reading	2018 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2018	G-033528	231570	249179	17609	1760900	64.85	0.84	77.3
COMBINED TOTAL						64.85	0.52	125.7

Year	Well Reg #	2018 Reading	2019 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2019	G-069699	208172	307936	99764	9976400	367.40	7.59	48.4
Year	Well Reg #	2018 Reading	2019 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2019	G-033528	249179	308194	59015	5901500	217.33	2.81	77.3
COMBINED TOTAL						584.74	4.65	125.7

Year	Well Reg #	2019 Reading	2020 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2020	G-069699	307936	478886	170950	17095000	629.56	13.01	48.4
Year	Well Reg #	2019 Reading	2020 Reading	Usage	Gallons	Acre Inches	Inches Applied	Acres
2020	G-033528	308194	458151	149957	14995700	552.25	7.14	77.3
COMBINED TOTAL						1181.80	9.40	125.7

EXHIBIT
D



LOWER PLATTE SOUTH natural resources district

3125 Portia Street | P.O. Box 83581 • Lincoln, Nebraska 68501-3581
P: 402.476.2729 • F: 402.476.6454 | www.lpsnrd.org

CERTIFIED MAIL

December 17, 2020

Beverly Ragusa Trust:
% Farmers National Company
P.O. Box 542016
Omaha, NE 68154

Dave Hladik
2929 County Rd D
Valparaiso, NE 68065

Subject: Order on Violation of Allocation of Ground Water

Dear Mr. Hansen and Mr. Hladik:

The purpose of this letter is to inform you that a formal hearing on the Violation of Allocation of Ground Water regarding the NW ¼ of NE ¼, Section 27, T13N, R5E, Saunders County, was held before the Board of Directors on December 17, 2020 at 2 pm via Zoom videoconference.

The Lower Platte South NRD staff provided testimony and evidence regarding the alleged violation.

Immediately following the formal hearing, the Board of Directors found that a violation of Rule 2 exists with respect to the allocation for Well Registration #G-069699 in that actual usage exceeded the allocation by 4.01 inches and to enter an Order on Violation of Allocation of Ground Water, a signed copy of which is enclosed.

If you have any questions or need further information, please contact me at 402-476-2729. If I am not available, please ask for Dan Schulz or Dick Ehrman. Thank you.

Sincerely,

Paul Zillig
General Manager

Attachment

Pc: Larry Ruth, Board of Directors Chair
Don Jacobson, Subdistrict 1
Gary Hellerich, Subdistrict 1
David Potter, LPSNRD Assistant Manager
Steve Herdzina, Water Resources Compliance Specialist
Ground Water File

EXHIBIT

E

**BEFORE THE BOARD OF DIRECTORS OF THE
LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT**

In the Matter of Well G-069699,)	ORDER ON VIOLATION OF
registered to the Ragusa Trust,)	ALLOCATION OF GROUND
Managed by Farmers National)	WATER
Company and Dave Hladik, Tenant)	

This matter came on for hearing via Zoom videoconference on December 16, 2020 at 2:00 p.m. before the Board of Directors of the Lower Platte South Natural Resources District (“District”) on the Motion of the Water Resources Subcommittee of the Lower Platte South Natural Resources District (“Subcommittee”) and the Subcommittee’s finding that there exists a probable violation of Section R, Rule 2(c)(i) of the District’s Ground Water Rules and Regulations (“Rule 2(c)(i)”) as a result of the use of 13.01 inches of ground water during the 2020 calendar year from Well G-069699, which well is located on and allocated to a 48.4-acre parcel of Section 27, T13N, R5E, Saunders County, Nebraska (the “Property”). Well G-069699 is registered to Beverly Ann Ragusa, Trustee of the Ragusa Trust.

Larry Ruth, Chairperson of the Board of Directors for the Lower Platte South Natural Resources District, acted as hearing officer and Corey J. Wasserburger, counsel for the District, participated on behalf the District. No appearance was made by or on behalf of the Property owner, the Ragusa Trust (“Owner”), or Dave Hladik, tenant on the Property (“Tenant”).

Proper Notice of this hearing was served on Owner, care of Doug Hansen of Farmers National Company, farm manager of the Property, and on Tenant. The letter notifying Owner and Tenant of the Subcommittee's finding that there exists a probable violation of Rule 2(c)(i) ("Letter") was offered and received as Exhibit No. 1. Proof of service of the Letter, including certified mail and registered mail receipts was offered and received as Exhibit No. 2. Well registration documentation for Well G-069699 was offered and received as Exhibit No. 3. Steven Herdzina, the Water Resource Compliance Specialist for the District, appeared and testified.

The evidence shows that the Property lies in the Dwight-Valparaiso-Brainard Special Management Area and that the Property is irrigated by ground water from Well G-069699. The Property consists of a 48.4-acre parcel located in the western portion of Section 27, T13N, R5E, Saunders County, Nebraska. Pursuant to Rule 2(c)(i), the use of ground water for agricultural purposes from any water well for irrigation of certified acres in the Special Management Area is set at a rolling allocation of 21 acre-inches per irrigated acre over a three-year period, but such allocation is not to exceed a maximum of 9.0 acre-inches in any year.

The evidence shows that Owner and Tenant were made aware of the District's Groundwater Rules and Regulations, including the revisions that went into effect on January 15, 2020.

The evidence also shows that in the 2020 calendar year, the Property utilized 13.01 acre-inches of ground water from Well G-069699, which is 4.01 acre-inches more than the one-year maximum allocation. Said use of ground water violates Rule 2(c)(i).

Section R, Rule 2(c)(ii) of the District's Ground Water Rules and Regulations ("Rule 2(c)(ii)") provides the consequence for violation of Rule 2(c)(i). It states:

If ground water use has exceeded the annual maximum allocation during any one (1) calendar year of the three (3) year rolling allocation period, the subsequent allocation shall be reduced by an amount equal to two (2) times the amount in excess of such annual allocation, and carried forward in each of the following calendar years until such penalty is reduced to zero (0).

The hearing officer's recommended findings and conclusions were presented to the Board of Directors of the District. A motion was made and seconded to endorse the hearing officer's recommended findings and conclusions, and to administer the penalties described therein, which motion was approved.

Accordingly, the Board of Directors of the Lower Platte Natural Resources District finds that the Property's allocation in subsequent years should be reduced by a penalty of 8.02 acre-inches of ground water, which penalty equals the 2020 excess use (4.01 acre-inches) multiplied by two. Such reduction should be applied in whole or in part in each subsequent calendar year and carried forward until the remaining balance of such penalty is reduced to zero (0). This will result in an effective allocation of 0.00 acre-inches for the 2021 calendar year, and an effective allocation of 0.00 acre-inches for the 2022 calendar year. Beginning in the 2023 calendar year, the remaining penalty will be 0.03 acre-inches, leaving a maximum annual allocation of up to 8.97 acre-inches available for the 2023 calendar year, and a maximum three-year rolling allocation of up to 20.97 acre-inches for

a three-year period beginning with the 2023 calendar year. The Owner and Tenant should be ordered to cease and desist with all ground water use on the Property which is inconsistent with this Order.

IT IS THEREFORE ORDERED that in accordance with the District Ground Water Rules and Regulations, Rules 2(c)(i) and 2(c)(ii), the excess amount of use from Well G-069699 in the 2020 calendar year (4.01 acre-inches) shall be multiplied by two and carried over as a penalty reduction to be applied to the subsequent allocation periods, for a total reduction of subsequent allocations on Well G-069699 in the amount of 8.02 acre-inches.

IT IS FURTHER ORDERED that Owner and Tenant shall not pump or otherwise use groundwater from Well G-069699 in the 2021 and 2022 calendar years, and that beginning in the 2023 calendar year, the allocation of groundwater from Well G-069699 shall be reduced by 0.03 acre-inches for purposes of determining the maximum annual allocation and maximum three-year rolling allocation available under Rule 2(c)(i).

DATED this 22 day of December, 2020.

LOWER PLATTE SOUTH NATURAL
RESOURCES DISTRICT,

BY: Deborah Eagan
Deborah Eagan, Vice Chairperson



A: Village of Valparaiso
Floyd T Maresh Village Clerk
PO Box
Valparaiso, NE 68065

NE 1/4 27-13-5E

B: W Todd Hellerich
1405 Raell Dr
York, NE 68467

C&D: Saints Mary and Joseph Catholic Church
637 Iver Street
Valparaiso, NE 68065

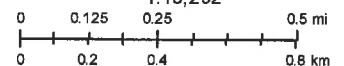


July 27, 2021

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:16,292

- Parcels
- Sections



Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

12-14-21
DATE

Cheryl C Rieck
Village of Valparaiso
c/o ~~Floyd T. Maresh~~, Clerk Cheryl Rieck
P.O. Box 147
Valparaiso, NE 68065
Parcel ID: 005909000

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

12/15/21
DATE

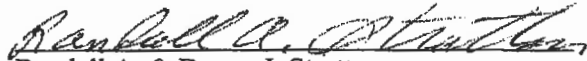
[Signature] - Secretary/Treasurer
Saints Mary and Joseph Catholic Church
637 Iver Street
Valparaiso, NE 68065
Parcel IDs: 000055001 and 000055004
+ pastor

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

12-15-2021

DATE



Randall A. & Donna J. Stratton

789 County Road 28

Valparaiso, NE 68065

Parcel ID: 000055500

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

12-17-2021
DATE

Orville Nelson Trust by Pathfinder Co Agent by
Orville Nelson
Pathfinder Company
1416 E. 23rd Street
Fremont, NE 68025
Parcel ID: 000036500

Anders Lange

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

12/15/21
DATE

William F. Dugan
William F. Dugan
25740 W. Dodge Road
Waterloo, NE 68069
Parcel ID: 000054500

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

December 30 2021
DATE

Doreen Blazek
Randy & Doreen Blazek
P.O. Box 85
Valparaiso, NE 68065
Parcel ID: 005908500

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.


1-22-22
DATE

Owen R. Masck Jennifer L. Masck
Owen R. & Jennifer L. Masck
435 County Road 28
Valparaiso, NE 68065
Parcel ID: 000055003

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

1/23/2022
DATE


Mark A. & Candace D. Masek
8369 Raven Drive
Louisville, NE 68037
Parcel ID: 000055002

Acknowledgement of Notice

I hereby acknowledge that I have received notice of David Hladik's intent to file a variance request with the Lower Platte South NRD with respect to irrigation wells G-033528 and G-069699 located in the NE ¼, Section 27, T13N, R5E, Saunders County, Nebraska.

3/7/22
DATE



Michael Masek
448 County Road 28
Valparaiso, NE 68065
Parcel ID: 000053000

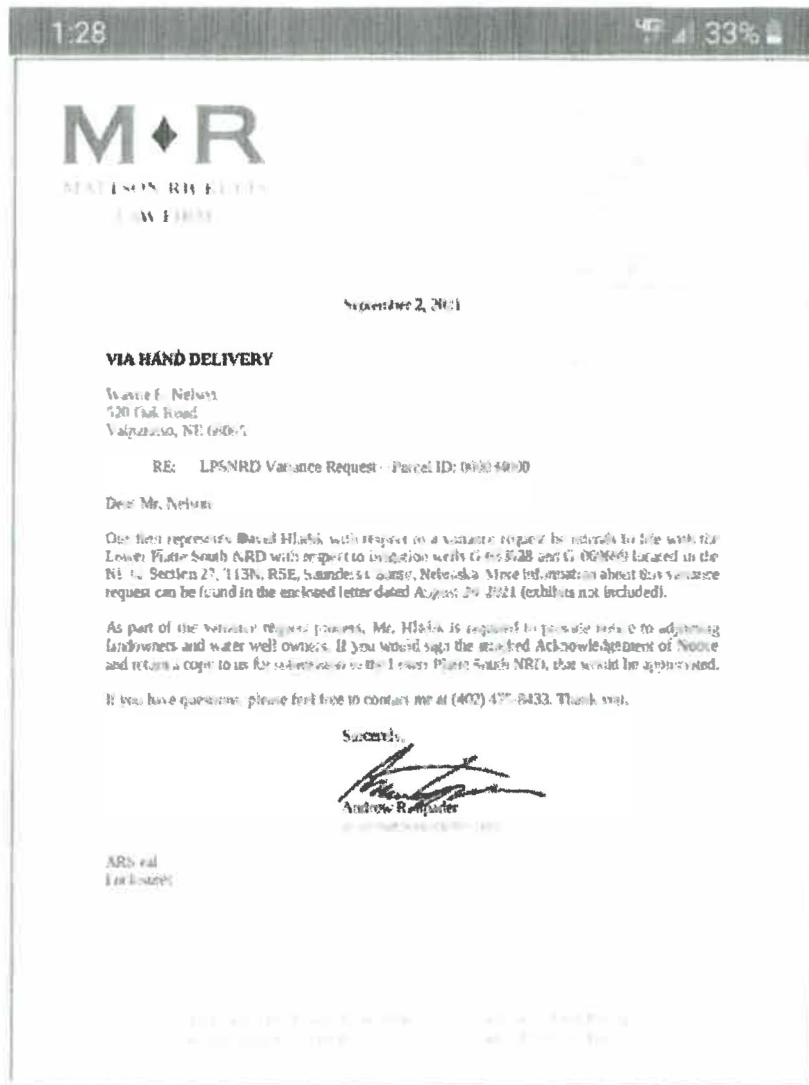
Screenshot_20220420-132839_Hancom ...

Download

Full screen

Print

Save to C

Acknowledgment of Notice

I hereby acknowledge and accept notice, notice on David Hladik, that a variance request with the Lower Platte South NRD with respect to irrigation with G-00528 and G-00596 located in the NE 1/4, Section 27, T13N, R5E, S4mdes1, county, Nebraska.

DATE

4-20-22

Wayne E. Nelson
520 Oak Road
Valparaiso, NE 68063
Parcel ID: 00004000

(No si



Frc
Sei
To:
Su

E

Activity: Interpretation of Water

The above information was obtained from a review of the files of the FBI, and the results of the review are being furnished to you for your information. The results of the review are being furnished to you for your information.

4-20-22

Adam Berez

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mailpiece, on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>W. Todd Hesterich 1405 Raven Drive York, NE 68467</p> <p>2. Article Number (Transfer from service label)</p> <p>7021 1970 0000 7587 6578</p>	<p>A. Signature [Signature] [Agent] [Addressee]</p> <p>B. Received by (Printed Name) T. Hesterich</p> <p>C. Date of Delivery 9/6/21</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td></td> <td>Mail Restricted Delivery (00)</td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail			Mail Restricted Delivery (00)
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Collect on Delivery Restricted Delivery																	
<input type="checkbox"/> Insured Mail																	
	Mail Restricted Delivery (00)																

9590 9402 6632 1028 8831 80

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ 3.75	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 3.05	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$ 1.73	
Total Postage and Fees \$ 7.53	
Sent To W. Todd Hesterich Street and Apt. No., or PO Box No. 1405 Raven Drive City, State, ZIP+4® York, NE 68467	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

DAVID J. HLADIK
JACQUELINE M. HLADIK
PH (402) 784-6216 / LIC. G06-004066
2929 COUNTY ROAD D
VALPARAISO, NE 68065

7011
76-136/1049

5-3-2022

Date

Pay to the order of Lower Platte South Natural Resource Dist. \$ 500.00

Five hundred 00 — — — — — Dollars

Security features
provided
details on back

REC-CHECKS AMOUNT

JonesBank

370	01
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For

Dail 2H

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