

Water Committee Meeting
Wednesday, November 29, 2017 5:00 PM
Lower Platte North NRD Office
P.O. Box 126
Wahoo, NE 68066

1. Water Committee

1.A. UNFINISHED BUSINESS

1.B. REGULATORY

1.B.1. GROUND WATER MANAGEMENT AREA

1.B.1.a. Variance Request Extension

A producer received a variance in 2016 to drill a new well. He is requesting an extension on the variance.

1.B.1.b. Irrigation Agreement

Richard Gustafson has requested that the Board considers the option of moving his irrigated acres to another portion of his tract in NE $\frac{1}{4}$ Section 20-T15N-R7E Saunders County. He has already certified 92.3 acres on this quarter, but wants the opportunity to irrigate a different portion of his quarter without exceeding the current certified acres. He will be require to install a water flow meter and report the reading at the end of 2018. .

An agreement for one year is attached for Mr. Gustafson and LPNNRD.

1.B.1.c. Well Permit Program

1.B.1.c.1. Well Permits Approved

Wells Permits Approved: 7

Landowner	Number of Wells	Number of New Irrigated Acres	Type of Well	County	Subarea
Metropolitan Utilities District	1	0	Replacement PWS	Saunders	Wann

Ed Luetkenhaus	1	0	Replacement	Platte	Lower Newman Grove
Sara Bongers	1	0	Replacement	Butler	David City
Donna Sabata	1	0	Replacement	Butler	David City
Leonard Cuda	1	0	Replacement	Saunders	Weston
Kenneth Nelson	1	140	New (Variance)	Platte	Lower Newman Grove
Sandy Point Lake Development	1	0	New PWS	Saunders	Wann

The total number of approved permits for 2017 is 29

Location of Approved Well Permits for 2017: Correct as of 11/29/2017

County	Irrigation - New	Irrigation - Replacement	Stock	Commercial	Municipal	Other	Total
Butler	2	6	0	0	0	0	8
Colfax	0	1	0	0	0	0	1
Dodge	0	0	0	0	0	5	5
Boone	0	0	0	0	0	0	0
Madison	0	0	0	0	0	0	0

Platte	3	1	0	0	1	0	5
Saunders	5	1	0	0	4	0	10
Total	10	9	0	0	5	5	29

1.B.1.c.2. Kenneth Pestal Supplemental Well Application

Kenneth Pestal has submitted an application to drill a new well in the SE 1/4 NW 1/4 S12-T14N-R6E Weston Subarea, Saunders County. The well will be used to irrigate 124.5 acres, previously serviced by well G-058453 located in the SW 1/4 SW 1/4 of the same section. Attached is a section map of the field in question, as well as a test hole submitted by Webster Well.

1.B.1.c.3. Livestock Well Permits for Poultry Operation

The District has been contacted by a Dodge County producer regarding the steps that need to be followed to drill three 80gpm wells to service a new poultry operation.

1.B.1.d. Livestock Information

Number for chickens when classifying CAFO units.

Species	Large CAFO (No. of head)	Medium AFO (No. of head)	Small AFO
Chickens - Laying Hens, Broilers With liquid manure system	30,000	9,000 - 29,999	Small AFOs are those operations with less than the number of animals at a Medium AFO
Chickens - Laying Hens No liquid manure system	82,000	25,000 - 81,999	
Chickens - Other than layers No liquid manure system	125,000	37,500 - 124,999	

Provided a facility meets the definition of a "Small AFO" there is no requirement to contact NDEQ - they are statutorily exempt. That does not mean that they are allowed to discharge to waters of the state.

All other facilities (medium "AFO" and large "CAFO") are required by statute to submit a "Form A" to request an initial inspection. This inspection determines whether or not the facility will be required to submit an application for a permit. As I mentioned below, most poultry facilities are not required by statute to have permits.

If Manure is inside a building, no permit required? Not exactly. Liquid manure systems require permits. However, all of the facilities that I am aware of in Nebraska (existing and planned) are dry litter systems. Dry litter systems are considered non-discharging facilities and do not require permits.

Nutrient Management Plans required? There is no requirement for a nutrient management plan if the facility is exempt from permitting. We accept, and file, NMP when they are volunteered by exempt facilities.

LPN Rule 1 Permit Application to Construct Water Well

(1) Any person who intends to construct a water well in a management area in the District on land which he or she owns or controls shall, before commencing construction, apply with the District for a permit on forms provided by the District, except that no permit shall be required for test holes or dewatering wells with an intended use of thirty days or less. Permit is required for water wells designed and constructed to pump greater than fifty gallons per minute in the entire District. A permit is required for water wells defined by the District to be replacement water wells. A permit is required for a water well designed and constructed to pump fifty gallons per minute or less if such water well is commingled, combined, clustered, or joined with any other water well or wells or other water source, other than a water source used to water range livestock. Such wells shall be considered one water well and the combined capacity shall be used as the rated capacity. In Stay management areas and Level three management areas, a permit must be obtained for each water well or for one or more categories of water wells designed and constructed to pump fifty gallons per minute or less, other than a domestic water well required for human needs as it relates to health, fire control, sanitation, and irrigation on less than one acre of land or used to water range livestock, in ground water management areas in which regulations have been imposed to control declining ground water levels. Forms are available at the District's office and at such other places as the District may deem appropriate. The District shall review such application and issue or deny the permit, with or without well permit conditions, within thirty days after the application is filed.

1.B.1.e. Irrigation to Livestock Well Conversion

Bob and Laura Kobza are requesting to take an irrigation well located in Section 19-16N-3 Butler County Nebraska and converting it to livestock use only. The livestock well will be part of the Lincoln Premium Poultry project.

Currently it is used for irrigating approximately 74 acres of pivot irrigated land. Multiple submersible pumps will be placed in the casing of the irrigation well by a professional

well driller or pump installer and pump less than 50 gpm. The original irrigation well was drilled in 2005 and is currently metered.

Bob and Laura Kobza will transfer or sell the irrigated acres within 8 years of the conversion.

Bob will need a written reply as requested by their lender and LPP to continue with this project.

1.B.1.f. Irrigation Endgun Violation Policy

Attached is another draft of the irrigation endgun violation policy. Staff will be presenting this at the Chemigation Rules Hearing.

1.B.1.g. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

An inter-local agreement is attached along with the the final Lower Platte River Basin IMP for Board approval and signature.

1.B.1.h. Voluntary Integrated Water Management Plan - LPNNRD

A meeting has been requested with DNR within the next couple of weeks. As we now have the Acre Feet numbers the plan can move forward.

1.B.1.i. GROUND WATER ENERGY LEVELS

Staff has completed measuring fall water levels with a summary of fall levels attached. District water levels have stayed pretty consistent as a whole from a year ago.

1.B.1.j. Cost Share Programs

1.B.1.j.1. Cover Crop Project

Staff has been approached on utilizing or requiring cover crops in the Phase Areas. I have visited with Aaron Nygren about doing some demonstration sites within the Phase Areas.

Do we want to proceed with the demonstration sites first before requiring or maybe offering cost-share?

Does the NRD want to help financially with the producers that participate with a demonstration site?

1.B.1.j.2. Flow Meter Cost Share in SQS #2

As of November 29, 2017 we have received a total of 194 applications. Two applications for 2-inch flow meters have been received from a livestock facility.

Therefore, for the December December 11, 2017 Board Meeting, we will have a total of 2 cost-share applications to approve for \$386.

At the June 28, 2017 Water Committee, motion (1) offer cost-share for flow meters to producers within 2 miles of the SQS #2 Boundary with-in LPNNRD and (2)to offer cost-share within the SQS #2 area to convert gallons reading registers to acre-inches. Cost-share for registers conversion will be \$225 with producer paying the labor cost. Deadline for invoices will be by March 1.

At the November 30, 2016 Water Committee, motion was made to fund GWEL cooperator wells at \$1,000 per 8 inch meters (\$770 from WSF and \$230 from LPNNRD = \$1,000) and at \$749 per 6 inch meters (\$577 from WSF and \$172 from LPNNRD = \$749)

Water Sustainability Fund (WSF)	
8 inch meters	XX x 8" meters or XX x \$770 = \$0
6 inch meters	XX x 6" meters or XX x \$577 = \$0
4 inch meters	XX x 4" meters or XX x \$385 = \$0
2 inch meters	2 x 2" meters or XX x \$193 = \$386
WSF Total	\$0
	So Running Total WSF Grant = \$79,845 of \$200,000 grant
	So Remaining Total of WSF Grant = \$120,155

LPNNRD For GWEL Cooperators	
8 inch meter	0 x 8" meters or 1 x \$230 = \$0
6 inch meter	0 x 6" meters or 0 x \$172 = \$0
Carry over (8 inch meter)	0 x 8" meter or 0 x \$230= \$0

LPNNRD Total	\$0
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Total For Flow Meter Cost Share Program	
WSF & LPNNRD	For approval at December 11, 2017 Board Meeting = \$386

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1.B.1.k. LPNNRD Operator Certification

1.B.1.k.1. 2018 LPNNRD Certification Classes for Nitrogen and Water Management

Class	Date & time	Location
# 1	Thursday, January 4th @ 3:30 p.m. (after Corn Expo)	Fremont - Extension Office
# 2	Wednesday, January 17th @ 7:00 p.m. [Dryland focus/emphasis]	ENREC (formerly known as ARDC)
# 3	Tuesday, January 30th @ 9:30 a.m. *Special class at 1:00 p.m. AEM	Columbus - Ag Park
# 4	Tuesday, January 30 @ 1:00 pm	Columbus - Ag Park
# 5	Monday, February 5th @ 1:00 p.m. [Dryland focus/emphasis]	Butler County Events Center
# 6	Thursday, February 8th @ 9:30 a.m.	Lindsay - Village Office

# 7	Tuesday, February 27th @ 9:30 p.m.	Columbus - Pinnacle Bank
# 8	Wednesday, March 7th @ 9:00 a.m.	Fremont - Extension Office
# 9	Tuesday, March 13th @ 9:30 a.m.	Butler County Events Center
# 10	Tuesday, March 20th @ 7:00 p.m.	ENREC (ARDC)
# 11	Thursday, March 22nd @ 3:00 p.m.	Columbus - Ag Park
# 12	Thursday, March 22nd @ 7:00 pm	Columbus - Ag Park

Class #4 and Class #11 will focus on the findings from the 2016 AEM data over the Special Quantity Subareas.

1.B.2. CHEMIGATION

At the August 14 Board meeting, a motion was made and passed to increase the fees for a new chemigation permit to \$90 and an emergency permit to \$300. A draft of the Chemigation Rules showing the price increase is attached, along with a Chemigation Violation Policy.

Staff would like to set a hearing date of Wednesday, December 27 at 4:30 pm. By state law the hearing needs to be posted 3 consecutive weeks prior to the hearing. The first posting of the hearing would be the week of December 4, which is prior to the December Board meeting.

Staff will also present the Irrigation Endgun Policy at the hearing. Policies do not need a hearing but this will give the public an opportunity to express their opinion.

1.B.3. Rules and Regulations

Staff would like some direction on these items to add, subtract or do nothing to the Rules and Regulations.

These questions involving the Groundwater Rules and Regulation was presented to the Committee at the May Water Committee:

1. Require all flow meter for agricultural use to be Acre-Inch?
2. Do you want to allow time totalizers for water use?
3. Should we put the 27 inch rolling allocation in the acre inch allocation? Adjust every 3 years instead of yearly?
4. Hydrologically Connected Areas has been allowing 2500 acres per year since 2009. Is this the correct number as the quality of variance applications have dwindled. 400 acres would still allow swing arm pivots or tracts that have change hands.
5. Allowing up to 400 acres within 1 mile of a Restricted Areas?
6. Non-Hydrologically Areas?
7. Variance "conditional permit" correct? Right criteria? Minimum requirements or points?
8. Supplemental wells rules? Minimum pumping requirement like 200 - 300 GPM? Longer pump tests like 12 or 24 hours compare to 4 hours?
9. Water Banking or Transfers? IMP will be using Acre Feet as a criteria for stream depletion.
10. Add another Level or Phase rule?
11. Other items?

Reporting of Industrial, Municipal, Livestock and other large users of water.

Giving an Acre Feet Allocation per well to allow for acre expansion.

Staff is considering having an advisory group meeting to discuss the potential changes.

1.C. GROUND WATER PROGRAMS

1.C.1. DECOMMISSIONED WELL PROGRAM

1.C.1.a. Well Estimates

new wells has been reviewed and approved for decommissioning since the last Committee meeting.

Well Owner	Type of Well	Cost Share Estimate	County
Sara Bongers	Irrigation	\$1397.77	Butler
Donna Sabata	Irrigation	\$1200.62	Butler

1.C.1.b. Plugged Wells

wells have been plugged, reviewed, and ready for cost share payment approval this month.

Well Owner	Type of Well	Cost Share Estimate	County
James Poulas	Irrigation	\$436.46	Dodge

1.C.2. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

1.C.2.a. Eastern Nebraska Water Resources Assessment (ENWRA)

The Water Sustainability Grant has been approved for 2018-2021. The LPN part of project will total \$750,000 in which the grant portion is \$450,000 with LPN share \$300,000 over the 3 years.

1.C.2.b. Lower Platte River Consortium

A meeting was held on November 28 at LPS with an update given on the forecasting tool, vulnerability/drought monitoring and equipment installation. The forecasting tool will be looking above or below normal snow pack for flows on the Platte River. Other things they are considering are the Palmer Drought Severity Indices and the Climatic Prediction Center. As you can see this tool might be a challenge in predicting the water flow in the Platte River, as some of the water may never reach the lower portion of the Platte River.

If a call is put out on Junior Surface Water Rights on the river, the expected amount of water expected would be between 300 - 750 CFS. This amount does not take in evaporation or recharge with the water.

Equipment within or close to LPN has been installed at the Loup Canal near Columbus (piezometer), Skull Creek at Linwood (stream gage) and Hwy 77 bridge at Fremont (piezometer and stream gage). This equipment is designed to collect data for 2 years in a drought situation. The NWS has contacted us about utilizing the equipment at the Fremont site for flood predictions.

Other meetings and workshops will be held this winter and next spring to finalize everything.

1.C.3. FORMER ORDNANCE PLANT NEAR MEAD

Eric, Tom and Daryl attended a public informational meeting hosted by the COE. The meeting discussed where the contamination plumes are located and how things are being handled.

1.D. OTHER

1.D.1. GMDA ANNUAL CONFERENCE

The Annual Conference will be at the Hilton Capitol Center in downtown Baton Rouge, Louisiana, January 16-19, 2018.

The Conference will begin the morning of the 16th with a few presentations then a field trip to view the Old River Control Structure, arriving back in time for the welcoming reception. There will have technical sessions on Thursday with a board meeting Thursday afternoon. There will be a spouses tour on Thursday to Magnolia Mound Plantation and the Louisiana Rural Life Museum with a stop for lunch.

Any Board Member wishing to go, please let staff know.

1.D.2. COMMENTS FROM THE PUBLIC