

Water Committee Meeting
Wednesday, January 29, 2025 6:00 PM
Lower Platte North NRD Office
P.O. Box 126
Wahoo, NE 68066

1. UNFINISHED BUSINESS
2. Election of Chairperson and Vice Chairperson
Election of a chairperson, who will be on the executive committee and a vice chairperson.
3. Committee Meetings Dates
The meeting has been held on Wednesday night at 6 pm. Do the Committee want to keep the same night and time? One staff member prefers a different night. As there were only 2 Committee members present, no date was decided.

The GMDA conference will be held February 25–27, which is the same week as the Committee meetings. Three staff members and two Committee members will be attending. It was decided to hold the February Water Committee Meeting on Wednesday, March 5 at 6 pm.

4. REGULATORY

- 4.A. GROUND WATER MANAGEMENT AREA

- 4.A.1. Well Permit Program

- 4.A.2. Supplemental Well

Greg Kobza has applied for a supplemental well in S9-16N-3E, Butler County, Octavia Aquifer Area. If the new well pumps enough, then he will call this a replacement well, but he wants the option to hook 2 wells together.

The committee requested staff to reach out to Greg and invite him to the next Committee Meeting to explain his plan.

Attached is a map.

- 4.A.3. Cost Share Programs

- 4.A.3.a. Nitrogen Reduction Program

The Nitrogen Reduction Act Applications are Listed in the pdf form. Staff has been revising applications. We have a list below of pre-approved applications. LPNNRD's total funding is \$38,058.73. Staff will reach out to producers that are pre-approved and explain the process and check if they want to continue with the program. If the producer no longer wants to participate in the Nitrogen Reduction Act, staff will then look at the other applications.

4.A.3.b. Domestic Well Water Treatment Costshare

Dan Stevenson applied for a RO unit cost share. His water was tested by LPNNRD staff. The results were 15.4 ppm. Our cost share application states that LPNNRD will cover 75% of equipment and installation costs for a water treatment system up to \$800 as well as the registration cost of the domestic well which is \$70.

4.A.3.c. Flow Meter Maintenance Program

Tri City Meters is finishing up meter maintenance.

4.A.4. LPNNRD Operator Certification

Upcoming Classes:

February 6 - ENREEC. Ithaca at 1 pm

February 13- Lindsay at 10 am

February 20-Fremont at 6 pm

4.A.5. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

Attached is the coalition's annual dues of \$10,000, which was approved at the Coalition Board meeting in April 2024. The Coalition is 7 NRDs and NeDNR which meets annually to discuss stream depletion allotments and projects that could be beneficial for the Lower Platte River Basin Area. The dues are designated to help with the match if the group applies for a grant.

4.B. Groundwater Management Plan

An invoice is attached for December from LRE for \$6,816.25 per contract for updating the plan.

Two open houses were conducted in Wahoo and Platte Center.

Items that were discussed or feedback received from these meetings for consideration:

- Watering of lawns in communities
- Large municipal water use
- Protect existing water users
- Protect human health from contaminants
- Reverse Osmosis Units and replacement filters
- Water flow meters on all wells and electronic reads
- Specific goals and objectives
- Special Quantity Area Boundaries Review
- Dedicated Monitoring Wells
- Domestic Wells and Permitting

The following is a description of the rules from LPNNRD Rules and Regulations. Attached are 2 state statues on domestic wells.

Rule 2.6 Domestic Wells

New or replacement water wells to be used for domestic purposes in the Special Quantity Subarea shall be constructed to such a depth that they are less likely to be affected by seasonal water level declines caused by other water wells in the same area. Any person who installs a new or replacement water well for domestic purposes in the Special Quantity Subarea shall submit a certification from the water well contractor that the well was constructed in compliance with this section. The certification shall be submitted to the District within 90 days of completing

construction.

4.C. Groundwater Retreat

The retreat is scheduled for Friday, February 7, from 10 am to 3 pm at NRD Boardroom in Wahoo.

Tentative Agenda:

- NRD topics
- Groundwater Basics
- Groundwater Management Plan Review
- Recommendations Discussion
 - Triggers, scoring sheets, observation wells, sub-areas
- Open Groundwater Discussion
- Karrie Webber will present on uranium contamination.

5. GROUND WATER PROGRAMS

5.A. DECOMMISSIONED WELL PROGRAM

5.A.1. Well Estimates

No new wells have been reviewed and approved for decommissioning since the last Committee meeting.

5.A.2. Plugged Wells

No wells have been plugged, reviewed, and ready for cost share payment approval this month.

5.A.3. Abandoned Well Cost Share Program Discussion

The Abandoned well program has a total of 15 well abandonment waiting to be completed and plugged for cost share. Should we have an expiration for the applications? We have 5 applications that were reviewed in 2023, and one that was reviewed in 2021. The table below shows the number of wells that have been pre-approved for well decommissioning by year.

The committee requested staff to reach out on the application in 2021 and review 2023 applications.

2025	2024	2023	2022	2021
2 wells	7 wells	5 wells	0	1 well

5.B. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

5.B.1. Phase Area Update

Two (2) invoices received:

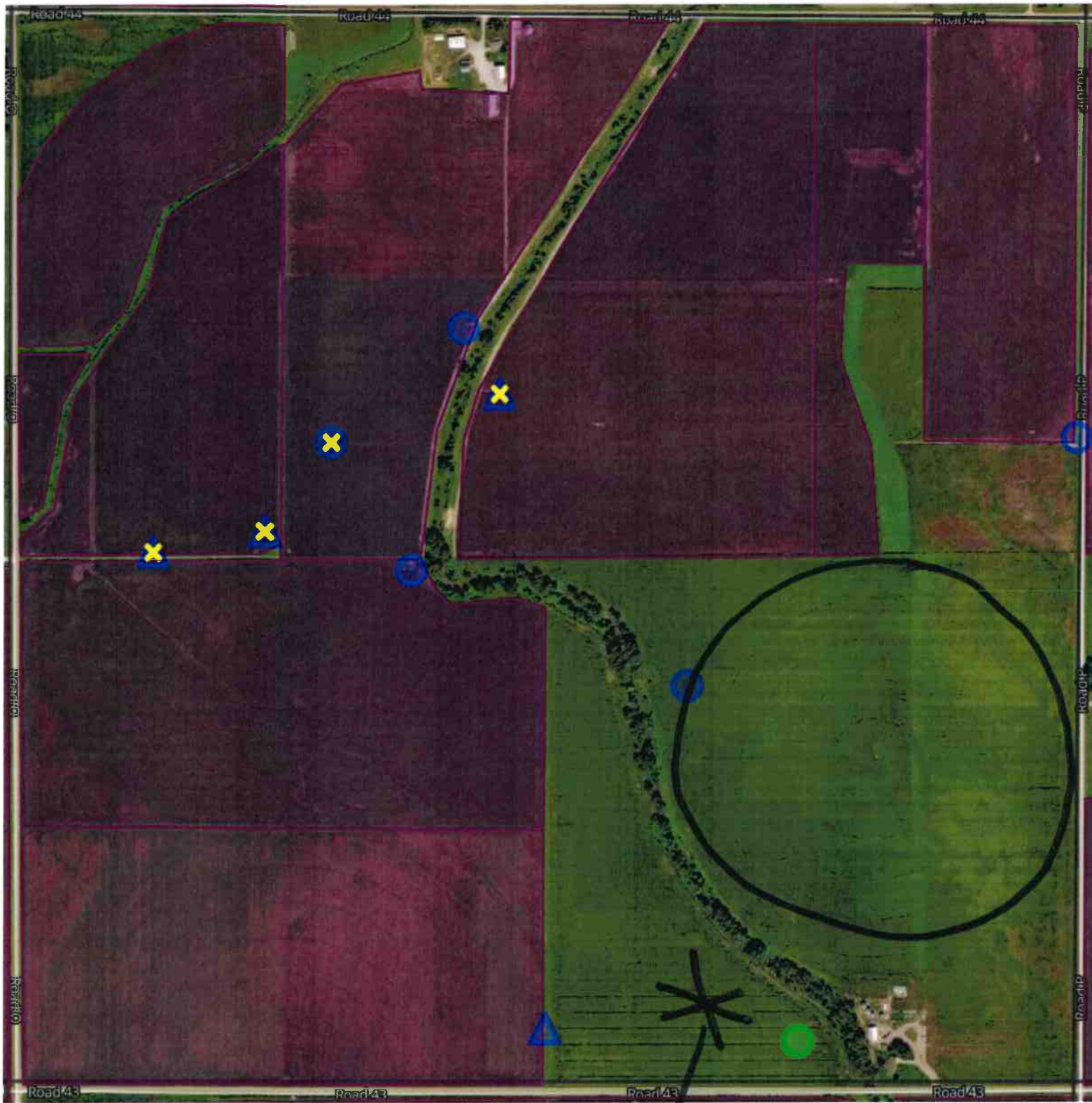
Tom Svatora - 2 flow meter cost-share at \$1,000/meter for \$2,000.

5.C. NEW MONITORING WELLS

6. SURFACE WATER PROGRAMS

7. OTHER

7.A. COMMENTS FROM THE PUBLIC



Well location
SW SE S9-16N-3E
Butler County

Producer Name	Legal Description	Acres	Crop type	Area	Cost/Acre	Cost total	Practice/Product
Allan Shonka	2-17N-2		137 Corn	A	\$	15.00 \$	2,055.00 Reduction in Nitrogen Application/ Implementation of Biological/ Stabilizer
Allan Shonka	10-17N-2		100 Corn	A	\$	15.00 \$	1,500.00 Reduction in Nitrogen Application/ Implementation of Biological/ Stabilizer
Allan Shonka	36-18-2E		107 Corn	A	\$	15.00 \$	1,605.00 Reduction in Nitrogen Application/ Implementation of Biological/ Stabilizer
Gregory Shonka	SW 11-17-2		140 Corn	A	\$	15.00 \$	2,100.00 Reduction in Nitrogen Application/ Implementation of Biological/ Stabilizer
Lanny Schmid	35-18-2		120 Corn	A	\$	15.00 \$	1,800.00 Reduction of Nitrogen Application
Lanny Schmid	N1/2 SE1/4 30-17-3		40 Corn	A	\$	15.00 \$	600.00 Reduction of Nitrogen Application
Michael Ebel	9-16-1E		120 Corn	A	\$	15.00 \$	1,800.00 Reduction of Nitrogen Application
Ronald Henggeler	NW6-17-2		77 Corn	A	\$	15.00 \$	1,155.00 Reduction in Nitrogen Application
Lazy K Feed Yards Inc.	5-17-2		92 Corn	A	\$	15.00 \$	1,380.00 Reduction in Nitrogen Application/ Implementation of Biologicals
Lazy K Feed Yards Inc.	4-17-2		154 Corn	A	\$	15.00 \$	2,310.00 Reduction in Nitrogen Application/ Implementation of Biologicals
Hilland Valley Farms INC.	31-18-2		150 Corn	A	\$	15.00 \$	2,250.00 Reduction in Nitrogen Application
William Klug	31-18-2		280 Corn	A	\$	15.00 \$	4,200.00 Reduction in Nitrogen Application
Benjamin Klug	32-18-2		155 Corn	A	\$	15.00 \$	2,325.00 Reduction in Nitrogen Application
Joseph Birkel	12-16-3		65 Corn	A	\$	15.00 \$	975.00 Implementation of a Nitrogen Use Efficiency Technology
Wolfe Ranch LLC	SWSW 18-17N-3E		80 Corn	A	\$	15.00 \$	1,200.00 Reduction in Nitrogen/Implementation of biologicals/Nitrogen Use Efficiency Tech/ Nitrogen Stabilizer
Wolfe Ranch LLC	SE 19-17N-3E		128 Corn	A	\$	15.00 \$	1,920.00 Reduction in Nitrogen/Implementation of biologicals/Nitrogen Use Efficiency Tech/ Nitrogen Stabilizer
David Sabota	7-17-3		148 Corn	A	\$	15.00 \$	2,220.00 Reduction in Nitrogen Application/Implementation of Biologicals
	Total Acres		2093			Total \$ Amount	\$ 31,395.00
Brazda Farm LLC	25-14-7		36.52 Corn	B	\$	12.00 \$	438.24 Biologicals
Bernie Eickmeier	8-16n-1		80 Corn	B	\$	12.00 \$	960.00 Implementation of Stabilizer
Dale Gladowski	17-17-4		53 Corn	B	\$	12.00 \$	636.00 Reduction in Nitrogen Application
Lanny Schmid	NW 1/4 32-17-3		130 Corn	B	\$	12.00 \$	1,560.00 Reduction of Nitrogen Application
Scott Cernin	29-16-9		167 Corn	B	\$	12.00 \$	2,004.00 Reduction in Nitrogen Application/ Implementation of Biologicals
Travis Runge	17-18-1		82 Corn	B	\$	12.00 \$	984.00 Implementation of a Nitrogen Stabilizer/Reduction in Nitrogen Application/Implementation of a Nitrogen Use Efficiency Technology
Upper Clear Creek LLC	31-15-9		114 Corn	B	\$	12.00 \$	1,368.00 Implementation of Biologicals
Upper Clear Creek LLC	15-14-9		73 Corn	B	\$	12.00 \$	876.00 Implementation of Biologicals
Upper Clear Creek LLC	22-15-9		110 Corn	B	\$	12.00 \$	1,320.00 Implementation of Biologicals
Upper Clear Creek LLC	9-15N-9E		145 Corn	B	\$	12.00 \$	1,740.00 Implementation of Biologicals
Brazda Farms LLC	3-14-9		64.54 Corn	B	\$	12.00 \$	774.48 Implementation of Biologicals
Brazda Farms LLC	21-14-7		44.8 Corn	B	\$	12.00 \$	537.60 Implementation of Biologicals
Joseph Birkel	29-16-3		65 Corn	B	\$	12.00 \$	780.00 Implementation of a Nitrogen Use Efficiency
Joseph Birkel	23-16-1		132 Corn	B	\$	12.00 \$	1,584.00 Implementation of a Nitrogen Use Efficiency
Jonathon Sobota	32-18-3		39 Corn	B	\$	12.00 \$	468.00 Reduction in Nitrogen Application
Rosendahl Farms Inc	18-19-1		78 Corn	B	\$	12.00 \$	936.00 Implementation of Biologicals/ Nitrogen Use Efficiency
Rosendahl Farms Inc	24-19-1		76 Corn	B	\$	12.00 \$	912.00 Implementation of Biologicals/ Nitrogen Use Efficiency
Rosendahl Farms Inc	12-19-1		54 Corn	B	\$	12.00 \$	648.00 Implementation of Biologicals
Rosendahl Farms Inc	7-19-1		91 Corn	B	\$	12.00 \$	1,092.00 Implementation of Biologicals
Ryan and Dean Preister	25-20-3W		141 Corn	B	\$	12.00 \$	1,692.00 Reduction of Nitrogen Application /Implementation of Biologicals
Ryan and Dean Preister	24-20-3W		80 Corn	B	\$	12.00 \$	960.00 Reduction of Nitrogen Application /Implementation of Biologicals
Ryan and Dean Preister	7-19-2W		150 Corn	B	\$	12.00 \$	1,800.00 Reduction of Nitrogen Application /Implementation of Biologicals
Ryan and Dean Preister	3-20-5W		142 Corn	B	\$	12.00 \$	1,704.00 Reduction of Nitrogen Application /Implementation of Biologicals
	TOTAL Acres		2147.86			Total \$ amount	\$ 25,774.32
Bryan Machovec	18-15-7		80 Corn	C	\$	10.00 \$	800.00 Reduction of Nitrogen Application
Bryan Machovec	33-15-6		40 Corn	C	\$	10.00 \$	400.00 Reduction of Nitrogen Application
Bryan Machovec	34-15-6		76 Corn	C	\$	10.00 \$	760.00 Reduction of Nitrogen Application
Lukas Steinkruger	4-15N-9		69 Corn	C	\$	10.00 \$	690.00 Implementation of Biologicals
Lukas Steinkruger	16-15-9		87 Corn	C	\$	10.00 \$	870.00 Implementation of Biologicals
Lukas Steinkruger	5-15n-9		74 Corn	C	\$	10.00 \$	740.00 Implementation of Biologicals
Travis Runge	19-18-1		39 Corn	C	\$	10.00 \$	390.00 Implementation of a Nitrogen Stabilizer/Reduction in Nitrogen Application/Implementation of a Nitrogen Use Efficiency Technology
Travis Runge	30-18-1		51 Corn	C	\$	10.00 \$	510.00 Implementation of a Nitrogen Stabilizer/Reduction in Nitrogen Application/Implementation of a Nitrogen Use Efficiency Technology
Travis Runge	20-18-1		50 Corn	C	\$	10.00 \$	500.00 Implementation of a Nitrogen Stabilizer/Reduction in Nitrogen Application/Implementation of a Nitrogen Use Efficiency Technology
Travis Runge	19-18-1		180 Corn	C	\$	10.00 \$	1,800.00 Implementation of a Nitrogen Stabilizer/Reduction in Nitrogen Application/Implementation of a Nitrogen Use Efficiency Technology
James Jansen	23-13-9		97.68 Corn	C	\$	10.00 \$	976.80 Implementation of Biologicals
James Jansen	25-13-9		78.1 Corn	C	\$	10.00 \$	781.00 Implementation of Biologicals
Chris Bouc	6-13-8		19.8 Corn	C	\$	10.00 \$	198.00 Reduction in Nitrogen Application/Implementation of Biologicals
Chris Bouc	34-14-7		55 Corn	C	\$	10.00 \$	550.00 Reduction in Nitrogen Application/Implementation of Biologicals
Jason Swanson	26-14-7		45 Corn	C	\$	10.00 \$	450.00 Implementation of Biologicals
Jason Swanson	25-14-7		45 Corn	C	\$	10.00 \$	450.00 Implementation of Biologicals
Jason Swanson	23-14-7		80 Corn	C	\$	10.00 \$	800.00 Implementation of Biologicals
	Total Acres		1166.58			Total \$ amount	\$ 11,665.80
Wolfe Ranch LLC							
	Acres Enrolled		5407.44			Total dollar Amount for All areas	\$ 68,835.12

Producer Name	Legal Description	Acres	Crop type	Area	Cost/Acre	Cost total	Practice/Product
Allan Shonka	2-17N-2	137	Corn	A	\$ 15.00	\$ 2,055.00	Reduction in Nitrogen Application/ Implement
Allan Shonka	10-17N-2	100	Corn	A	\$ 15.00	\$ 1,500.00	Reduction in Nitrogen Application/ Implement
Allan Shonka	36-18-2E	107	Corn	A	\$ 15.00	\$ 1,605.00	Reduction in Nitrogen Application/ Implement
Gregory Shonka	SW 11-17-2	140	Corn	A	\$ 15.00	\$ 2,100.00	Reduction in Nitrogen Application/ Implement
Lanny Schmid	35-18-2	120	Corn	A	\$ 15.00	\$ 1,800.00	Reduction of Nitrogen Application
Lanny Schmid	N1/2 SE1/4 30-17-3	40	Corn	A	\$ 15.00	\$ 600.00	Reduction of Nitrogen Application
Michael Ebel	9-16-1E	120	Corn	A	\$ 15.00	\$ 1,800.00	Reduction of Nitrogen Application
Ronald Henggeler	NW6-17-2	77	Corn	A	\$ 15.00	\$ 1,155.00	Reduction in Nitrogen Application
Lazy K Feed Yards Inc.	5-17-2	92	Corn	A	\$ 15.00	\$ 1,380.00	Reduction in Nitrogen Application/ Implement
Lazy K Feed Yards Inc.	4-17-2	154	Corn	A	\$ 15.00	\$ 2,310.00	Reduction in Nitrogen Application/ Implement
Hilland Valley Farms INC.	31-18-2	150	Corn	A	\$ 15.00	\$ 2,250.00	Reduction in Nitrogen Application
William Klug	31-18-2	280	Corn	A	\$ 15.00	\$ 4,200.00	Reduction in Nitrogen Application
Benjamin Klug	32-18-2	155	Corn	A	\$ 15.00	\$ 2,325.00	Reduction in Nitrogen Application
Joseph Birkel	12-16-3	65	Corn	A	\$ 15.00	\$ 975.00	Implementation of a Nitrogen Use Efficiency Tr
Wolfe Ranch LLC	SWSW 18-17N-3E	80	Corn	A	\$ 15.00	\$ 1,200.00	Reduction in N itrogen/Implementation of biol
Wolfe Ranch LLC	SE 19-17N-3E	128	Corn	A	\$ 15.00	\$ 1,920.00	Reduction in N itrogen/Implementation of biol
David Sabota	7-17-3	148	Corn	A	\$ 15.00	\$ 2,220.00	Reduction in Nirogen Application/Implementa
Bernie Eickmeier	8-16n-1	80	Corn	B	\$ 12.00	\$ 960.00	Implementation of Stabilizer
Dale Gladowski	17-17-4	53	Corn	B	\$ 12.00	\$ 636.00	Reduction in Nitrogen Application
Scott Cernin	29-16-9	167	Corn	B	\$ 12.00	\$ 2,004.00	Reduction in Nitrogen Application/ Implement
Travis Runge	17-18-1	82	Corn	B	\$ 12.00	\$ 984.00	Implementation of a Nitrogen Stabilizr/Reduct
Upper Clear Creek LLC	31-15-9	114	Corn	B	\$ 12.00	\$ 1,368.00	Implementation of Biologicals
Brazda Farms LLC	3-14-9	64.54	Corn	B	\$ 12.00	\$ 774.48	Implementation of Biologicals
Jonathon Sobota	32-18-3	39	Corn	B	\$ 12.00	\$ 468.00	Reduction in Nirtrogen Application
Rosendahl Farms Inc	7-19-1	91	Corn	B	\$ 12.00	\$ 1,092.00	Implementation of Biologicals
					Total Amount	\$ 39,681.48	
Ryan and Dean Preister	25-20-3W	141	Corn	B	\$ 12.00	\$ 1,692.00	Reduction of Nitrogen Application /Implement
Ryan and Dean Preister	24-20-3W	80	Corn	B	\$ 12.00	\$ 960.00	Reduction of Nitrogen Application /Implement
Ryan and Dean Preister	7-19-2W	150	Corn	B	\$ 12.00	\$ 1,800.00	Reduction of Nitrogen Application /Implement
Ryan and Dean Preister	3-20-5W	142	Corn	B	\$ 12.00	\$ 1,704.00	Reduction of Nitrogen Application /Implement

Producers with Multiple Field Applications

Upper Clear Creek LLC	15-14-9	73	Corn	B	\$ 12.00	\$ 876.00	Implementation of Biologicals
Upper Clear Creek LLC	22-15-9	110	Corn	B	\$ 12.00	\$ 1,320.00	Implementation of Biologicals
Upper Clear Creek LLC	9-15N-9E	145	Corn	B	\$ 12.00	\$ 1,740.00	Implementation of Biologicals
Rosendahl Farms Inc	18-19-1	78	Corn	B	\$ 12.00	\$ 936.00	Implementation of Biologicals/ Nitrogen Use E
Rosendahl Farms Inc	24-19-1	76	Corn	B	\$ 12.00	\$ 912.00	Implementation of Biologicals/ Nitrogen Use E
Rosendahl Farms Inc	12-19-1	54	Corn	B	\$ 12.00	\$ 648.00	Implementation of Biologicals
Brazda Farm LLC	25-14-7	36.52	Corn	B	\$ 12.00	\$ 438.24	Biologicals
Joseph Birkel	29-16-3	65	Corn	B	\$ 12.00	\$ 780.00	Implementation of a Nitrogen Use Efficiency
Joseph Birkel	23-16-1	132	Corn	B	\$ 12.00	\$ 1,584.00	Implementation of a Nitrogen Use Efficiency
Brazda Farms LLC	21-14-7	44.8	Corn	B	\$ 12.00	\$ 537.60	Implementation of Biologicals
Lanny Schmid	NW 1/4 32-17-3	130	Corn	B	\$ 12.00	\$ 1,560.00	Reduction of Nitrogen Application

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Invoice

Bill To
Lower Platte North NRD PO Box 126 Wahoo, NE 68066

Date	Invoice #
10/31/2024	195

Quantity	Description	Rate	Amount
	FY2025 Lower Platte River Basin Water Management Plan Coalition Dues	10,000.00	10,000.00
Please remit payment to NARD Research - 8100 S. 15th St., Suite B, Lincoln, NE 68512		Total	\$10,000.00

46-735. Construct water well in a management area; permit required; application; form; fee; contents; late permit application; fee.

(1) Any person who intends to construct a water well in a management area in this state on land which he or she owns or controls shall, before commencing construction, apply with the district in which the water well will be located for a permit on forms provided by the district, except that (a) no permit shall be required for test holes or dewatering wells with an intended use of ninety days or less, (b) no permit shall be required for a single water well designed and constructed to pump fifty gallons per minute or less, and (c) a district may provide by rule and regulation that a permit need not be obtained for water wells defined by the district to be replacement water wells. A district may require a permit 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. A district may by rule and regulation require that a permit 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 water source required for human needs as it relates to health, fire control, and sanitation or used to water range livestock, in ground water management areas in which regulations have been imposed to control declining ground water levels. Forms shall be made available at each district in which a management area is located, in whole or in part, and at such other places as may be deemed appropriate. The district shall review such application and issue or deny the permit within thirty days after the application is filed.

(2) A person shall apply for a permit under this section before he or she modifies a water well for which a permit was not required under subsection (1) of this section into one for which a permit would otherwise be required under such subsection.

(3) The application shall be accompanied by a fifty-dollar filing fee payable to the district and shall contain (a) the name and post office address of the applicant or applicants, (b) the nature of the proposed use, (c) the intended location of the proposed water well or other means of obtaining ground water, (d) the intended size, type, and description of the proposed water well and the estimated depth, if known, (e) the estimated capacity in gallons per minute, (f) the acreage and location by legal description of the land involved if the water is to be used for irrigation, (g) a description of the proposed use if other than for irrigation purposes, (h) the registration number of the water well being replaced if applicable, and (i) such other information as the district requires.

(4) Any person who has failed or in the future fails to obtain a permit required by subsection (1) or (2) of this section shall make application for a late permit on forms provided by the district.

(5) The application for a late permit shall be accompanied by a two-hundred-fifty-dollar fee payable to the district and shall contain the same information required in subsection (3) of this section.

Source: Laws 1975, LB 577, § 4; Laws 1980, LB 643, § 10; Laws 1981, LB 325, § 2; Laws 1982, LB 375, § 16; Laws 1983, LB 23, § 3; Laws 1984, LB 1071, § 3; Laws 1986, LB 894, § 23; Laws 1993, LB 131, § 25; Laws 1994, LB 981, § 8; Laws 1995, LB 145, § 2; R.S.Supp.,1994, § 46-659; Laws 1996, LB 108, § 35; Laws 1998, LB 1161, § 13; Laws 1999, LB 870, § 1; Laws 2003, LB 34, § 1; R.S.Supp.,2003, § 46-656.29; Laws 2004, LB 962, § 75.

46-739. Management area; controls authorized; procedure.

(1) A district in which a management area has been designated shall by order adopt one or more of the following controls for the management area:

(a) It may allocate the amount of ground water that may be withdrawn by ground water users;

(b) It may adopt a system of rotation for use of ground water;

(c) It may adopt well-spacing requirements more restrictive than those found in sections 46-609 and 46-651;

(d) It may require the installation of devices for measuring ground water withdrawals from water wells;

(e) It may adopt a system which requires reduction of irrigated acres pursuant to subsection (2) of section 46-740;

(f) It may limit or prevent the expansion of irrigated acres or otherwise limit or prevent increases in the consumptive use of ground water withdrawals from water wells used for irrigation or other beneficial purposes;

(g) It may require the use of best management practices;

(h) It may require the analysis of water or deep soils for fertilizer and chemical content;

(i) It may impose mandatory educational requirements designed to protect water quality or to stabilize or reduce the incidence of ground water depletion, conflicts between ground water users and surface water appropriators, disputes over interstate compacts or decrees, or difficulties fulfilling the provisions of other formal state contracts or agreements;

(j) It may require water quality monitoring and reporting of results to the district for all water wells within all or part of the management area;

(k) It may require district approval of (i) transfers of ground water off the land where the water is withdrawn, (ii) transfers of rights to use ground water that result from district allocations imposed pursuant to subdivision (1)(a) of this section or from other restrictions on use that are imposed by the district in accordance with this section, (iii) transfers of certified water uses or certified irrigated acres between landowners or other persons, or (iv) transfers of certified water uses or certified irrigated acres between parcels or tracts under the control of a common landowner or other person. Such approval may be required whether the transfer is within the management area, from inside to outside the management area, or from

outside to inside the management area, except that transfers for which permits have been obtained from the Department of Natural Resources prior to July 16, 2004, or pursuant to the Municipal and Rural Domestic Ground Water Transfers Permit Act shall not be subject to district approval pursuant to this subdivision. If the district adopts rules and regulations pursuant to this subdivision, such regulations shall require that the district deny or condition the approval of any such transfer when and to the extent such action is necessary to (A) ensure the consistency of the transfer with the purpose or purposes for which the management area was designated, (B) prevent adverse effects on other ground water users or on surface water appropriators, (C) prevent adverse effects on the state's ability to comply with an interstate compact or decree or to fulfill the provisions of any other formal state contract or agreement, and (D) otherwise protect the public interest and prevent detriment to the public welfare. Approval of any transfer of certified water uses or certified irrigated acres under subdivision (1)(k)(iii) or (iv) of this section shall further be subject to the district having complied with the requirements of section 46-739.01;

(l) It may require, when conditions so permit, that new or replacement water wells to be used for domestic or other purposes shall be constructed to such a depth that they are less likely to be affected by seasonal water level declines caused by other water wells in the same area;

(m) It may close all or a portion of the management area to the issuance of additional permits or may condition the issuance of additional permits on compliance with other rules and regulations adopted and promulgated by the district to achieve the purpose or purposes for which the management area was designated; and

(n) It may adopt and promulgate such other reasonable rules and regulations as are necessary to carry out the purpose for which a management area was designated.

(2) In adopting, amending, or repealing any control authorized by subsection (1) of this section or sections 46-740 and 46-741, the district's considerations shall include, but not be limited to, whether it reasonably appears that such action will mitigate or eliminate the condition which led to designation of the management area or will improve the administration of the area.

(3) Upon request by the district or when any of the controls being proposed are for the purpose of integrated management of hydrologically connected ground water and surface water, the Director of Natural Resources shall review and comment on the adoption, amendment, or repeal of any authorized control in a management area. The director may hold a public hearing to consider testimony regarding the control prior to commenting on the adoption, amendment, or repeal of the control. The director shall consult with the district and fix a time, place, and

subdivision shall be in accordance with the hearing procedures established in the Nebraska Ground Water Management and Protection Act.

(d) Except as otherwise authorized by law, the district shall make a replacement water well as defined in section 46-602, or as further defined in district rules and regulations, subject to the same provisions as the water well it replaces.

(7) If the district has included controls delineated in subdivision (1)(m) of this section in its management plan, but has not implemented such controls within two years after the initial public hearing on the controls, the district shall hold a public hearing, as provided in section 46-712, regarding the controls before implementing them.

(8) In addition to the controls listed in subsection (1) of this section, a district in which a management area has been designated may also adopt and implement one or more of the following measures if it determines that any such measures would help the district and water users achieve the goals and objectives of the management area: (a) It may sponsor nonmandatory educational programs; and (b) it may establish and implement financial or other incentive programs. As a condition for participation in an incentive program, the district may require water users or landowners to enter into and perform such agreements or covenants concerning the use of land or water as are necessary to produce the benefits for which the incentive program is established and shall further condition participation upon satisfaction of the requirements of section 46-739.01.

Source: Laws 1975, LB 577, § 11; Laws 1978, LB 217, § 2; Laws 1979, LB 26, § 4; Laws 1980, LB 643, § 13; Laws 1981, LB 146, § 9; Laws 1982, LB 375, § 19; Laws 1983, LB 23, § 7; Laws 1983, LB 506, § 1; Laws 1984, LB 1071, § 8; Laws 1986, LB 894, § 25; Laws 1993, LB 131, § 30; R.S.1943, (1993), § 46-666; Laws 1996, LB 108, § 31; Laws 1997, LB 877, § 6; Laws 2000, LB 900, § 196; Laws 2001, LB 135, § 2; Laws 2001, LB 667, § 9; R.S.Supp.,2002, § 46-656.25; Laws 2004, LB 962, § 79; Laws 2006, LB 1226, § 27; Laws 2009, LB477, § 6.

Cross References

Municipal and Rural Domestic Ground Water Transfers Permit Act, see section 46-650.

Annotations

A look-back provision of a natural resources district's rules governing land irrigation established a baseline number of acres historically irrigated within the natural resources district and was in accord with the authority provided under the Nebraska Ground Water Management and Protection Act to limit the expansion of irrigated acres. *Lingenfelter v. Lower Elkhorn NRD*, 294 Neb. 46, 881 N.W.2d 892 (2016).

date for such hearing. In reviewing and commenting on an authorized control in a management area, the director's considerations shall include, but not be limited to, those enumerated in subsection (2) of this section.

(4) If because of varying ground water uses, varying surface water uses, different irrigation distribution systems, or varying climatic, hydrologic, geologic, or soil conditions existing within a management area the uniform application throughout such area of one or more controls would fail to carry out the intent of the Nebraska Ground Water Management and Protection Act in a reasonably effective and equitable manner, the controls adopted by the district pursuant to this section may contain different provisions for different categories of ground water use or portions of the management area which differ from each other because of varying climatic, hydrologic, geologic, or soil conditions. Any differences in such provisions shall recognize and be directed toward such varying ground water uses or varying conditions. Except as otherwise provided in this section, if the district adopts different controls for different categories of ground water use, those controls shall be consistent with section 46-613 and shall, for each such category, be uniform for all portions of the area which have substantially similar climatic, hydrologic, geologic, and soil conditions.

(5) The district may establish different water allocations for different irrigation distribution systems.

(6)(a) The district may establish different provisions for different hydrologic relationships between ground water and surface water.

(b) For management areas a purpose of which is the integrated management of hydrologically connected ground water and surface water, the district may establish different provisions for water wells either permitted or constructed before the designation of a management area for integrated management of hydrologically connected ground water and surface water and for water wells either permitted or constructed on or after the designation date or any other later date or dates established by the district. Permits for construction of new wells not completed by the date of the determination of fully appropriated shall be subject to any conditions imposed by the applicable natural resources district.

(c) For a management area in a river basin or part of a river basin that is or was the subject of litigation over an interstate water compact or decree in which the State of Nebraska is a named defendant, the district may establish different provisions for restriction of water wells constructed after January 1, 2001, if such litigation was commenced before or on May 22, 2001. If such litigation is commenced after May 22, 2001, the district may establish different provisions for restriction of water wells constructed after the date on which such litigation is commenced in federal court. An appeal from a decision of the district under this



January 10, 2025
 Invoice No: 28712

Invoice Total:	\$6,816.25
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Daryl Andersen
 Lower Platte North NRD
 511 Commercial Park Road
 Wahoo, NE 68066-0126

Please Remit To:
LRE Water
1221 Auraria Pkwy
Denver, CO 80204
(303) 455-9589
billing@LREwater.com

Invoice Email: dandersen@lpnrd.org
 Project No.: 5036LPN03
 Project Name: LPNNRD GW Management Plan

Professional Services through December 31, 2024

Task 02 Stakeholder Involvement

Professional Personnel

	Hours	Rate	Amount	
Mohr, Jonathan	3.00	195.00	585.00	
Totals	3.00		585.00	
Total Labor				\$585.00
		Total this Task		\$585.00

Task 04 Plan Review & Presentation

Professional Personnel

	Hours	Rate	Amount	
Mohr, Jonathan	14.00	195.00	2,730.00	
Totals	14.00		2,730.00	
Total Labor				\$2,730.00
		Total this Task		\$2,730.00

Task 05 Review & Refine Subarea Delineations

Professional Personnel

	Hours	Rate	Amount	
Mohr, Jonathan	2.25	195.00	438.75	
Totals	2.25		438.75	
Total Labor				\$438.75
		Total this Task		\$438.75

Task 07 Quantity Trigger & Well Interference Pro

Professional Personnel

	Hours	Rate	Amount	
Hume, David	12.50	245.00	3,062.50	
Totals	12.50		3,062.50	
Total Labor				\$3,062.50
		Total this Task		\$3,062.50
		Total this Invoice		\$6,816.25

Outstanding Invoices

Number	Date	Balance		
28515	12/13/2024	2,172.75		
Total		\$2,172.75		
			Total Now Due	\$8,989.00

The Abandoned well program has a total of 15 well abandonment waiting to be completed and plugged for cost share.

Tim Mueller 01/22/25

Francis Emmanuel (Kern Farms) 1/22/25

Gillwell Foundation 12/18/24

James Vandenberg 12/18/2024

Ryan Loseke 09/2024

John Dicis 5/20/2024

Brian Birkel 5/22/24

Brian Birkel 5/22/24

Audrey Williams 10/24/24

Dry Creek Farms LLC -4/7/23

Rohwer Farms LLC 5/23/23

Tim Weise - 07/7/2023

Justin Raikes July 13, 2023

Randy Fujan Dec. 4 2023

Bryce Grotelueschen March 1 2021