

**Lower Platte North NRD
Water Committee Minutes
June 30, 2010**

Committee Members Present: Acklie, Bailey, Hilger, Johannes, Pollard, and Taylor

Staff Present: Angle, Miyoshi, Mountford, and Oaklund

Others Present: Larry Chapek

Location of Committee Meeting: Lower Platte North NRD office in Wahoo, NE

Start of Meeting: 5:30 p.m.

1. REGULATORY

A. GROUND WATER MANAGEMENT AREA

1. Variance Requests for Limited Development (Hydrologically Connected) Area

a. June Variance Requests

The District has received 1 variance request from Dean Kavan for a total of 74 new irrigated acres in the Limited Development Area. The new application is shown on the attached variance map. The well that would irrigate these new acres is already irrigating 181 acres, therefore this makes it a Class 3 Variance for a total of 255 acres. This was received just before the Committee meeting so the variance request will need to be reviewed at the July Board meeting. This well is also in a section that is part of the Restricted Development Area, but the well and the irrigated acres are located in the Morse Bluff Subarea and the well is located more than 2,000 feet from the Prague Subarea Boundary.

b. Ranking Regions for Limited Development Areas

Todd Valley has reached its allowable acres, therefore 66.3 acres will need to be transferred from the Platte Valley ranking region with the approval of the Dean Kavan variance application. At the June Board meeting 165 acres were transferred from Platte Valley to Shell Creek.

Limited Development Ranking Regions as of June 30, 2010			
Ranking Region	Allowable Acres for 2009 & 2010	June Variance Request Acres	Remaining Acres on June 1st
Shell Creek	1,374 +165 from PV = 1,539	0	0
Todd Valley	1,112	74	7.7
Platte Valley	2,514 -165 to SC = 2,349	0	1,641.04
Totals	5,000	74	1,648.74

c. Variance Reviews

At the last Committee meeting several of our previously approved variances have not completed the conditions that were outlined in their variances. Staff sent a reminder letter to those individuals requesting that they complete those tasks before the June 30, 2010 Water Committee or the variance maybe revoked. Individuals in bold letters still need to meet the variance conditions.

- The following variance applicants had not updated the DNR records to indicate the correct number of irrigated acres, which was a condition of the variance:

Kent Lee	Kevin Wolf - ok	Brian Sanderson - ok	John Sanderson - ok
Don C. Bauermeister	Wilfred Janecek		

- The following variance applicants have not updated the assessor records to indicate the correct number of irrigated acres which was a condition of the variance:

Kevin Wolf - ok	Brian Sanderson - ok	John Sanderson - ok	Wilfred Janecek
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- The following variance applicant has not filed for a well permit, which was a condition of the variance:

Jim Hegeman - ok			
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Current information regarding each situation:

- Wilfred Janecek — It was reported that either he or his son-in-law would come to the June 30th Water Committee. Mr. Janecek had a variance request for expansion of irrigated acres on this ground with water from a well and pivot that the neighbor owns. // Larry Chapek attended and reported that the well owner (Gene Hansen) was reluctant to install a flow meter, but was willing to install an hour meter. Larry Chapek has even offered to pay for the flow meter, but Gene Hansen has still declined. LPNNRD GWMA rules & regulations, section L, rule 9(4) and section M, rule 6(4) state that a flow meter must be installed for an approved variance. It was recommended (by Acklie) and seconded (by Hilger) to approve a 30 day extension for the Wilfred Janecek variance request #LPN-V-010-0029 to discuss with his neighbor concerning the LPNNRD requirement for a flow meter on the well supplying water to the 64 acres of the field in the SE1/4, Section 26, T16N, R7E. Recommendation Carried.*
- Don Bauermeister - Second letter, dated 6/23/2010, sent with DNR Well Modification form. // Don Bauermeister owns the land and well and lives out of state, Ron Bauermeister farms the land, but Phil Bauermeister signs all the paperwork and he is currently on vacation. Ron B. said he will make sure that Phil B. will send the corrected DNR Well Modification form to the State.
- Kent Lee – still needs to update DNR records. This variance is tied to David Pieke and we are awaiting additional information from Pieke, who may be coming to the June 30, 2010 Water Committee meeting. // Kent Lee variance is for 67 acres that gets it’s water from a well owned by David Pieke, therefore David Pieke will need to send in a well modification form to DNR. David Pieke said this would be done.

d. Integrated Water Management Plan Meeting

With the passage of LB764, NRD’s can now develop IWMP before their basin is declared ‘Fully Appropriated’. Several eastern NRD’s comprising the Lower Platte Basin have been meeting to discuss the merits of doing a voluntary IWMP. See attached file, which is the outline of the IWMP for Twin Platte NRD. IWMP’s vary with the individual basin and the Lower Platte is affected most by municipal well expansion and endangered species.

2. Well Permit Program

a. Well Permits Approved

Since the last Committee meeting 4 well permits have been approved (see attached map).

Landowner	Number of Wells	Type of Well	Subarea	County
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Jeff Temme	1	New Irrigation (No new Irrigated Acres)	Upper Newman Grove	Boone
Melvin Bailey	1	New Irrigation (No new Irrigated Acres)	Schuyler	Colfax
Leon F & Adair F Muehlich	1	Replacement Irrigation (No new Irrigated Acres)	North Bend	Colfax
Steve Bygland	1	New Irrigation (LDA Variance Acres Approved)	Upper Newman Grove	Boone

The total number of approved permits for 2010 is 23.

3. Cost Share Programs

a. Irrigation Well Sample Kits

A total of 87 kit requests have been received since the last committee meeting and these have been mailed. No returned samples have yet been returned to our office.

b. Domestic Well Sample Kits

A total of 6 kit requests have been received since the last committee meeting and these have been mailed. The Health & Human Services lab (HHS) in Lincoln has received two samples from Keith Novak on June 30, 2010.

c. NAWMDN Water Mark sensors and ET gauges

Extension educators have been working with producers to get their equipment installed. Staff has begun to bill producers that have already received their equipment. The LPNNRD pays 100% for the equipment and then we bill each producer 50% for the equipment they purchase.

d. Phase 2 Area - Flow Meter Cost Share

- **Flow Meter Estimates:** No new requests for flow meters. Gottschalk still only has two requests for cost-share: 1 from Allan Shonka, 1 from Lazy K Feedyards Inc.
- **Flow Meter Cost Share:** No cost share approvals for this month.

4. LPNNRD Certification Classes

Two people have requested the take home tests since the last Committee meeting. Both of these were for getting their acres certified.

5. Bellwood Phase 2 Area

The year 2010 is now the eighth year for this Phase 2 area. Intensive well sampling for ground water quality for this Phase 2 area has been delayed due to the wet weather. Oaklund has received a couple of requests for flow measurements when irrigation begins.

6. Richland - Schuyler Phase 2 Area

The year 2010 is now the seventh year for this Phase 2 Area. Irrigation well flow measurements are planned for this Phase 2 area as well, but the Bellwood area will have priority this summer. A few wells in this Phase 2 area have not yet been measured for flow.

7. Certifying Acres

- David Pieke scheduled an appointment with Chris Poole for July 1 to address certifying acres and other concerns such as his water use report.
- Land for Harris Johnson is a special case. The assessor is actually not taxing it as irrigated, but they have a polygon showing that it is irrigated. From aerial photos and GIS work, it appears in the northwest corner of his parcel it looks like his neighbor is possibly cropping and irrigating about 0.5 acre of his property.
- Concerning the other parcels for Madison County, Poole reports there has not been enough time to actually enter data into GIS, so as of yet, nothing is formally approved.
- Letters are currently being sent to Butler County landowners.

County	Number of Landowners	Number of Parcels	Number of Parcels Returned	Number of Parcels Approved	Number of Parcels and Reason Not Approved
Madison	32	~40	36	0	40 - fields under review 1 - landowner no response (Harris Johnson)
Butler - East townships	144	253	67	24	1- operator needs to be NRD Certified
Butler - Central townships	120	161	7	2	1- operator needs to be NRD Certified

B. CHEMIGATION

Summer chemigation inspections are listed below:

	Number to be inspected this summer	Number inspected	Number approved	Number and reason not approved
Renewal	154	11	11	mainline 0 interlock 0 not ready 0
New	29	5	5	mainline 0 interlock 0 not ready 0

Due to the wet weather it appears that several producers are looking at chemigation to apply extra fertilizer.

C. LIVESTOCK WASTE PERMITS

The NRD has received one livestock permit application from DEQ since the last Committee meeting.

Name	Livestock	Type of Permit	Legal Description	County
Mark Lambert 32226 190 th Avenue Columbus NE 68601	Feeder Cattle 700 Head 700 A.U.	Construction and Operation Permit	NW1/4, NW1/4, Sec.7, T18N,R1E	Platte

Gottschalk is reviewing the application and will send comments to DEQ.

With the recent heavy rains, Committee members expressed concerns about livestock lagoons overtopping or being washed out and polluting nearby streams.

2. GROUND WATER PROGRAMS

A. DECOMMISSIONED WELL PROGRAM

1. Well Estimates

Gottschalk has reviewed the new well estimate, did the pre-plug inspection and approved the cost share estimate for two wells.

Well Owner	Type of Well	Cost Share Estimate	County
Charles McEvoy	2 x Domestic wells	\$652.50	Saunders

2. Plugged Wells

No wells that have been plugged or are ready for cost share payment approval this month.

Committee members expressed concern that heavy rains caused runoff water to be entering abandoned wells. Some members have seen this happening and would like the NRD to contact these individuals to inform them about our cost share program. This will be forwarded to Troy Thompson for further advertisement.

B. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

1. LPNNRD Platte River Ground Water Model

No real update, still waiting on flows in the Platte River to decline. Oaklund reports that Matt Marxsen of C&SD needs to collect a sediment core sample and Electro-Conductivity (EC) log from at least one site and possibly two sites between Fremont and Yutan. Hopefully this field work can be done in late July into early August.

2. Elkhorn Loup Model (ELM)

The ELM technical group met on June 17, 2010 at the Lower Loup NRD office in Ord. The group discussed information that needed to be put into Phase 3 of the model. USGS stated that this fall is the cutoff date for information about the number of irrigated acres, well locations, crop types, etc. to be included in phase 3. Phase 3 geophysics work was scheduled to start the week of June 21st but may have been delayed due to poor road conditions. The next meeting for Phase 3 is scheduled for Aug. 27th at the LLNRD office. The latest USGS progress report is attached.

3. Eastern Nebraska Water Resources Assessment (ENWRA)

Angle and Sund submitted two reimbursement requests: June 28, 2010 to DNR for \$279.79 for contract 10-02-037 and on June 30, 2010 to DNR for \$49,171.28 for contract 08-03-003. These should be the last LPNNRD reimbursement requests since financial responsibilities will be transferred to LPSNRD on July 1. The financial summary for all four years of the ENWRA project is attached.

4. Eastern Nebraska HEM Aquifer Mapping (Swedeburg Subarea)

No new updates for test hole drilling in this area.

5. Farm Process Package of MODFLOW

No new updates from Papio-Missouri River NRD.

C. FORMER ORDINANCE PLANT AT MEAD

- The COE may still submit a letter requesting that we drop the RDX sampling requirement as a variance

condition for the UNL-ARDC irrigation well to be drilled near one of the contaminate plumes. They are concerned about 'false positives', such as the February sampling by MUD which falsely detected TCE in some monitoring wells.

- The flow meter for Harold Kolb's irrigation well located near the leading edge of the AMA plume has been installed by Grosch Irrigation of North Bend.

D. GROUND WATER QUALITY

Sampling for the Bellwood Phase 2 area and the Statewide Network has been delayed due to excessive rains in June. Normally we start sampling in mid to late June.

3. SURFACE WATER PROGRAMS

A. STATE LAKES

1. Bacteria Sampling

For the week of June 21, 2010, DEQ reports: Bacteria levels measured above 235 colonies/100 ml. of sample are considered at higher risk for illness when swimming.

Bluestem Lake in Lancaster County
Branched Oak Lake in Lancaster County
Conestoga Lake in Lancaster County
Cub Creek Lake # 12A in Gage County
Holmes Lake in Lancaster County
Kirkman's Cove Lake in Richardson County
Lake North in Platte County

Lewis & Clark Lake at Weigland Beach in Knox County
Pawnee Lake at Both Beaches in Lancaster County
Two Rivers SRA Lake #4 in Douglas County
Wagon Train Lake in Lancaster County
Willow Creek Lake in Pierce County
Wirth Brother's Lake in Johnson County

The large number of lakes on health alert is likely due to excessive runoff following the recent heavy rains.

2. Toxic Algae

One lake exceeded the 20 ppb criterion for the microcystin toxin and therefore, is presently on the "Health Alert" list: Swan Creek Lake # 5A in Saline County. This information is updated weekly on the DEQ web site, www.deq.state.ne.us under the heading "Environmental Alerts."

4. OTHER

A. GMDA SUMMER SESSION

The GMDA summer session was held in Little Rock, Arkansas on June 6-8, 2010. Angle, Becker and John Hannah attended the Conference. The annual conference will be held in San Antonio, Texas on January 12 - 14, 2011.

B. PLATTE RIVER BASIN TOURS

The Platte River Basin Tour runs from July 12-15, 2010 and leaves from Kearney NE. This tour is sponsored by the University and the Kearney Area Chamber of Commerce.

C. WATER PROGRAMS BUDGET

Attached is the proposed Water Programs Budget for FY10-11. Increase for cost share of \$1,000 for soil sampling for NAWMDN project and Platte River Model revised to \$88,851 to reflect ET grant, previous year carryover, and LPNNRD amount in the total budget. Our portion for this grant is \$22,212.73. Also question on establishing a sinking fund for ground water and other water related activities.

D. COMMENTS FROM THE PUBLIC

Larry Chapek addressed the Committee concerning the Wilfred Janecek variance request as outlined in the 'Variance Reviews' on page 1 of these minutes.

With no further business, the Water Committee adjourned at 7:12 p.m.

Larry Angle - Water Resources Manager
Curt Becker - Water Resources Specialist
Eric Gottschalk - Projects Coordinator
Russell Oaklund - Lead Water Resources Specialist
Chris Poole - GIS Specialist
Karen Rezac - Receptionist

List of Attachments

- Variance Map
- IWMP outline
- Well Permit map
- ELM summary
- ENWRA Financial Summary
- Water Programs budget proposal FY10-11