

**MINUTES OF  
LOWER ELKHORN NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS**

**Certification of Acres Hearing**

7:00 p.m., Thursday, November 8, 2018  
1508 Square Turn Blvd, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Dennis Schultz on Thursday, November 8, 2018 at the Lower Elkhorn Natural Resources District, 1508 Square Turn Blvd, Norfolk, Nebraska. Chairman Schultz informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on November 1, 2018 and the Nebraska Open Meetings Act information posted at the entrance to the room.

Roll call was taken by Administrative Supervisor Vickie DeJong with 13 of 15 Directors present. Present: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Steffen, Zimmerman, Schultz. Absent: Janke, Korth.

Chairman Dennis Schultz gave a brief description of the District's hearing rules for the public, staff and Board: the complete hearing rules were posted on the district website and copies of a summary of those rules was made available to anyone present at the meeting; any member of the public would be given the opportunity to appear in person or through their agent and could present any supporting witnesses, evidence, or statements in support of their position; the Chairman would allow the property owner 10 minutes to testify, followed by 5 minutes for each member of the public, followed by testimony from the District staff, concluded with 5 minutes for rebuttal testimony; once an individual hearing had been closed, neither the public nor the staff could present additional information unless requested by the board; discourteous conduct, disorderly conduct, as well as highly repetitious testimony would not be allowed in the hearings; and anyone wishing to contest the staff's preliminary determination of the number of certified irrigated acres for a parcel must indicate their desire to do so by writing the unique parcel ID number for the land they wish to contest on the sign-up sheet.

Motion was made by Hansen seconded by Bar *to open all public hearings on the agenda*. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Steffen, Zimmerman, Schultz. Nay: None. Absent: Janke, Korth. Motion Carried.

Chairman Schultz accepted into the record Exhibit number 1, the District's Hearing Rules of Procedure; Exhibit number 2, the District's Groundwater Management Area Rules and Regulations; Exhibit number 3, the Public Hearing Notice; and Exhibit number 4, the list of parcels (the "Unique Parcel ID Spreadsheet" prepared by District staff) subject to public hearing.

Chairman Schultz asked the staff if any requests for continuance were received. GIS Specialist Mike Murphy answered that there were none.

Chairman Schultz asked the staff if there were any contested hearings received. Mr. Murphy indicated there were none.

A motion was made by Gustafson and seconded by Allemann *to allow a continuance until the next scheduled Certification Hearing, to be determined at a later date, for the Unique Parcel ID number*

PRELIMINARY CERTIFIED FIELD THE OWNER WISHES TO HAVE A CONTINUANCE AND REMOVED FROM THE HEARING						
OWNER NAME	UNIQUE ID	PID (PARCEL)	CERTIFICATION ID	SOURCE		
				GROUNDWATER	SURFACEWATER	WASTEWATER
VICTOR/LOREN	477959	2535	2605E10-004	8.38	0.00	0.00
VICTOR/LOREN	596522	1010004	2605E02-005	196.21	0.00	0.00
VICTOR/LOREN	596526	2481.01	2605E03-003	86.30	0.00	0.00
VICTOR/LOREN	596530	2482	2605E03-004	142.90	0.00	0.00
VICTOR/LOREN H	478732	1160027	2606E18-004	71.33	0.00	0.00
VICTOR/LOREN H	478734	1160021	2606E18-005	71.10	0.00	0.00
VICTOR/LOREN H	596534	1160017	2606E07-001	156.32	0.00	0.00
VICTOR/LOREN H	596537	1160030	2606E07-002	148.82	0.00	0.00
VICTOR/LOREN H	596543	1160002	2605E12-003	193.08	0.00	0.00
VICTOR/LOREN H	596548	1160001	2605E12-004	77.78	0.00	0.00
VICTOR/LOREN H	596551	1160028	2605E12-005	38.55	0.00	0.00
VICTOR/LOREN H	596554	1160007	2605E12-006	111.39	0.00	0.00

Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Steffen, Zimmerman, Schultz. Nay: None. Absent: Janke, Korth. Motion Carried.

Chairman Schultz opened a public hearing for the remaining 39 properties that were non-continued, non-contested, and non-conflict of interest (a list of the properties is attached to these minutes) and asked if anyone from the public, staff or Board wished to testify regarding any of these properties.

A motion was made by Hansen and seconded by Loftis *to make a final determination and approve the preliminary determinations for the 39 properties that remained on the District's list of properties to consider at public hearing on November 8, 2018 that were not continued, contested or did not have a conflict of interest* (the list of properties is attached to these minutes). Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Steffen, Zimmerman, Schultz. Nay: None. Absent: Janke, Korth. Motion Carried.

Motion was made by Kathol and seconded by Zimmerman *to close the Public Hearing*. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Steffen, Zimmerman, Schultz. Nay: None. Absent: Janke, Korth. Motion Carried.

I, the undersigned Secretary of the Lower Elkhorn Natural Resources District hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Board of Directors on November 8, 2018 that all of the subjects included in the foregoing proceedings were contained in the agenda for at least twenty-four hours prior to said meeting, the minutes of the Chairman and the Board were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body, that all news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Mark Hall, Secretary