

DATE: December 22, 2017

TO: Holdrege Daily Citizen
Minden Courier

FROM: Carie B. Lynch
Administrative Secretary

RE: LEGAL NOTICE - Please publish this as soon as possible for three consecutive times

Please forward Proof of Publication for the following Notice:

ORDER

BEFORE THE TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS

In the matter of expanding the boundaries of Phase 2 and Phase 3 of the Groundwater Quality Management Area (GQMA) of the Tri-Basin Natural Resources District (Tri-Basin NRD, or NRD).

THE BOARD FINDS THAT:

1. Groundwater samples collected by Tri-Basin NRD staff indicate that nitrate contamination levels of groundwater supplies in Blaine Township (T 7 North, R 16 West) in Kearney County, have risen to the extent that the average nitrate content of these samples has exceeded 9 parts per million (ppm) during each of the past three years (2015, 2016 and 2017). Such levels of nitrates are high enough to lead the Tri-Basin NRD Board of Directors to consider designating this township as Phase 2 for groundwater quality management, in accordance with Rule 3.1.2 in the Tri-Basin NRD Rules and Regulations for Management and Protection of Land and Water Resources.
2. Groundwater samples collected by Tri-Basin NRD staff indicate that nitrate contamination levels of groundwater supplies in the Phase 2 portion of Industry Township (T 5 North, R 19 West) in Phelps County, has remained, on average, above 9 parts per million (ppm) during each of the past three years (2015, 2016 and 2017). Since these levels have not declined by at least one ppm since the area was designated as a Phase 2 GQMA in 1997, such levels of nitrates are high enough to lead the Tri-Basin NRD board to consider designating the Phase 2 portion of this township as Phase 3 for groundwater quality management, in accordance with Rule 3.1.3 in the Tri-Basin NRD Rules and Regulations for Management and Protection of Land and Water Resources.
3. In light of these findings, the Tri-Basin NRD Board of Directors held a public hearing to gather public comment on these proposed designations at the Tri-Basin NRD office in Holdrege on December 12, 2017. Members of the public attended this hearing, but no comments were offered on the proposed designations during this hearing.

IT IS CONCLUDED THAT:

The Tri-Basin NRD Board of Directors, in order to effectively enforce the Nebraska Groundwater Management and Protection Act, to protect the quality of groundwater resources within the district, find that it is necessary to designate Blaine Township (T 7 North, R 16 West) in Kearney County as Phase 2 for groundwater quality management and a portion of Industry Township (T 5 North, R 19 West) in Phelps County as Phase 3 for groundwater quality management.

IT IS HEREBY ORDERED:

1. The Tri-Basin NRD Board of Directors hereby order that Blaine Township in Kearney County (T 7 North, R 16 West) shall be designated as Phase 2 for groundwater quality management and a portion of Industry Township in Phelps County (T 5 North, R 19

West) shall be designated as Phase 3 for groundwater quality management. A description of lands affected by these designations is provided below.

Groundwater Quality Management Area Designation and Delineation

The legal descriptions for all lands included within the GQMA designations (including the lands described above) are listed below:

Phase 1 GQMA

Gosper County

All lands within the political boundaries of the following Townships: 8N-23W (Brace), 8N- R22W (Bethel), 8N-R21W (Robb), 7N-R23W (West Elwood), 7N-R22W (East Elwood), 7N-R21W (Harrison), Sections 1-12, 16-21 and 28-33 only, 6N-R23W (East Muddy), T6N-R22W (Turkey Creek), T6N-R21W (Lincoln) Sections 4-9 and 13-36 only, T5N-R24W (West Muddy), T5N-R23W (Elk Creek), T5N-R22W (Union), and T5N-R21W (Highland).

Phelps County

All lands within the political boundaries of the following Townships: T8N-R20W (Westside), T8N-R19W (Williamsburg), T8N-R18W (Williamsburg-Cottonwood) Sections 17-20 and 29-36 only, T7N-R20W (Garfield) Sections 1-12 only, T7N-R19W (Westmark) Sections 1-12 only, T7N-R18W (Center) Sections 1-12 only, T7N-R17W (Anderson) Sections 1-15, 22-27 and 34-36 only and T5N-R20W (Rock Falls).

Kearney County

All lands within the political boundaries of the following Townships: T8N-R14W(Lowell-Newark), Sections 31-36 only, T8N-R13W (Lowell), Sections 25-36 only, T7N-R15W (Logan), T7N-R14W (Liberty), T7N-R13W (Eaton), T6N-R16W (Mirage), Sections 1-3,10-15,22-27 and 34-36 only, T6N-R15W (Hayes), T6N-R14W (Lincoln), T6N-R13W (May), T5N-R16W (Oneida) Sections 1-3 and 10-15 only, T5N-R15W (Sherman), T5N-R14W (Cosmo) and T5N-R13W (Grant).

Phase 2 GQMA

Gosper County

All lands within the political boundaries of the following Township: T6N-R21W (Lincoln) Sections 1-3 and 10-12 only.

Phelps County

All lands within the political boundaries of the following Township: T5N-R17W (Lake).

Kearney County

All lands within the political boundaries of the following Townships: T7N-R16W (Blaine), T6N-R16W (Mirage), Sections 4-9, 16-21, 28-33 only. T5N-R16W (Oneida), Sections 4-9, and 16-36 only.

Phase 3 GQMA

Gosper County

All lands within the political boundaries of the following Township: T7N-R21W (Harrison), Sections 13-15, 22-27 and 34-36 only.

Phelps County

All lands within the political boundaries of the following Townships: T8N-R18W (Williamsburg-Cottonwood), Sections 13-16, 21-28 only, T8N-R17W (Cottonwood), T7N-R20W (Garfield) Sections 13-36 only, T7N-R19W (Westmark) Sections 13-36 only, T7N-R18W (Center) Sections 13-36 only, T7N-R17W (Anderson) Sections 16-21, 28-33 only, T6N-R20W (Union), T6N-R19W (Laird), T6N-R18W (Sheridan), T6N-R17W (Anderson), T5N-R19W (Industry) and T5N-R18W (Prairie).

Kearney County

All lands within the political boundaries of the following Townships: T8N-R16W (Blaine), T8N-R15W (Newark), T8N-R14W (Newark-Lowell), Sections 13-25 only and T8N-R13W (Lowell), Sections 1, 2 and 7-24 only.

Pursuant to the majority vote of the Tri-Basin NRD Board of Directors on December 12, 2017, the expansion of the GQMA shall become effective February 1, 2018. All rules and controls adopted by Tri-Basin NRD are available upon request by contacting the district office. Tri-Basin NRD is located at 1723 Burlington St., Holdrege, Nebraska 68949. You can contact the Tri-Basin NRD office toll-free at (877) 995-6688 or tribasin@tribasinprd.org.

For Tri-Basin Natural Resources District

David Olsen, Chairman
Tuesday, December 12, 2017