

NOTICE OF ADOPTION OF AMENDED GROUNDWATER QUANTITY RULES AND REGULATIONS IN THE LOWER BIG BLUE NATURAL RESOURCES DISTRICT

Pursuant to *Neb. Rev. Stat.* § 46-743, the Lower Big Blue Natural Resources District (“NRD”) hereby provides notice that the Lower Big Blue NRD Board of Directors at its monthly meeting on November 13, 2025 approved the revisions to the District’s Groundwater Quantity Rules and Regulations (the “Rules and Regulations”) presented at a public hearing on October 30, 2025, at 7:00 p.m. held in the 4-H Building located at the Gage County Fairgrounds. These Rules and Regulations shall become effective on December 22, 2025 and shall remain in full force and effect until revised, repealed, amended, or superseded. On December 22, 2025, all previous Groundwater Quantity Rules and Regulations shall be superseded. Please note the Lower Big Blue NRD District-wide moratorium on new wells and increases in certified irrigated acres will remain in full force and effect until lifted by order of the Lower Big Blue NRD Board of Directors. The geographic area for the amended Rules and Regulations encompasses the entire land area within the NRD boundary. Please note that these amended Rules and Regulations also include the creation of new geographical Groundwater Quantity Management Sub-Areas within the NRD that will now be used for designating Phase 2 and Phase 3 Groundwater Quantity Management Areas and implementing new management controls, including but not limited to potential allocations, flowmeter requirements, and moratoriums, based on the annual groundwater level readings in each Sub-Area, as provided in these amended Rules and Regulations. For a map and description of the amended Groundwater Quantity Management Sub-Areas, please see Appendix C to the adopted Rules and Regulations. The outlined contents of the amended Rules and Regulations are: (1) added definitions to Rules and Regulations “Chapter 3: Definitions That Apply to These Rules and Regulations”; (2) added well permitting revisions including the option of a pumping test and updated permitting requirements for Large Volume Water Wells using more than 400 acre-feet/year to “Chapter 5: Water Well Permits”; (3) added modifications to variance objection procedure to “Chapter 6: Request for Variance”; (4) added management controls to Phase 1 Groundwater Quantity Management Areas, including the requirement for flowmeters to be installed on all Large Volume Water Wells by December 31, 2026, and the designation of Groundwater Quantity Management Sub-Areas used to implement Phase 2 and Phase 3

Groundwater Quantity Management Area management controls, the geographical region of which are shown in Appendix C to the adopted Rules and Regulations, and the groundwater level measurement mechanisms that will trigger Sub-Areas to enter into Phase 2 or Phase 3 levels of control to “Chapter 7: Phase 1 Groundwater Quantity Management Area Determination and Requirements”; (5) established new thresholds for which new geographic Groundwater Quantity Management Sub-Areas will enter into the Phase 2 Groundwater Quantity Management Area designation and added new management controls to Phase 2 Areas based on new Sub-Area designations, including the installation of Flowmeters on all High Capacity Wells no later than December 31st of the calendar year following the calendar year the Sub-Area enters Phase 2, establishment of allocation amounts, moratoriums on new wells, moratoriums on expansions of Certified Groundwater Use Acres, and a mechanism for applying for Certified Expanded Acres during a moratorium to “Chapter 8: Phase 2 Groundwater Quantity Management Area Determination and Requirements”, (6) established new thresholds for which new geographic Groundwater Quantity Management Sub-Areas will enter into the Phase 3 Groundwater Quantity Management Areas designation and added new management controls to Phase 3 Areas based on new Sub-Area designations, including continuation of the controls used in Phase 2 in addition to automatic reductions of allocation amounts as previously set in Phase 2 to “Chapter 9: Phase 3 Groundwater Quantity Management Area Determination and Requirements”; (7) revised certification of Groundwater Use Acres requirements, including addition of the requirement that all irrigated acres are to be certified as Certified Groundwater Use Acres with the NRD, which acres are allowed to be certified, and a prohibition of the pooling or transfers of Certified Groundwater Use Acres, contained in “Chapter 11: Certification of Groundwater Use Acres”; (8) added groundwater use reporting requirements, including annual water use reports submitted to the NRD no later than February 1st of each year, to “Chapter 12: Groundwater Use Reporting”; (9) modifications to flowmeter maintenance requirements, including the establishment of a flowmeter maintenance schedule, authorization of certain persons to perform flowmeter maintenance, and requirements to maintain the accuracy of all flowmeters, in “Chapter 13: Flowmeter Installation, Operation, and Maintenance Requirements”; (10) added mechanisms by which allocation amounts will be set for agricultural users in particular Groundwater Quantity Management Phase Areas, including providing dates through which allocations will apply, identifying specific initial allocation amounts for Sub-Areas that have entered Phase 2 as Sub-Areas Zero (0) through Eight

(8) of thirty (30) acre-inches over a three (3) year period and twenty-one (21) acres-inches over a three (3) year period for Sub-Area Nine (9), and adding the penalty of reduced allocation amounts for exceeding allotted allocation amounts to “Chapter 14: Allocation to Agricultural Users”; (11) added mechanisms by which allocation amounts will be set for Municipal Users in particular Groundwater Quantity Management Phase Areas, including dates through which allocations will apply and establishment of situations in which allocations are required to “Chapter 15: Allocation to Municipal Users”, and (12) added mechanisms by which allocation amounts will be set for Other Users, including dates on which allocations are set, and the penalty of reduced allocation amounts for exceeding allotted allocation amounts to “Chapter 16: Allocation to Other Users”.

With the adoption of the amended Groundwater Quantity Rules and Regulations, Groundwater Quantity Management Sub-Areas Three (3), Seven (7), and Nine (9) have met the Phase 2 Trigger Levels, as identified in Chapter 8 of the amended Rules and Regulations, and as such shall be designated as Phase 2 Groundwater Quantity Management Areas as outlined in Rules and Regulations Chapter 8 upon the effective date of the amended Rules and Regulations.

The full text of the amended Groundwater Quantity Rules and Regulations will be available to the public at the Lower Big Blue NRD office, 805 Dorsey Street, Beatrice Nebraska or via the Lower Big Blue NRD website at <https://www.lbbnrd.net> and upon request.