

STATE OF NEBRASKA  
NEBRASKA POWER REVIEW BOARD

IN THE MATTER OF THE	)	Charter Amendment 19
NORRIS PUBLIC POWER	)	
DISTRICT'S PETITION TO	)	
AMEND ITS CHARTER.	)	<b>CERTIFICATE OF APPROVAL</b>

THIS HEREBY CERTIFIES THAT:

1. In accordance with Neb. Rev. Stat. § 70-662(2), the board of directors of the Norris Public Power District (Norris PPD) met for a regular board meeting on January 17, 2017, and by an affirmative vote of more than three-fifths of all its directors approved a resolution to amend the District's Charter.

2. On January 30, 2017, Norris PPD filed a Petition with the Nebraska Power Review Board ("the Board") seeking approval of the proposed amendments to its charter.

3. In accordance with Neb. Rev. Stat § 70-666, The board of directors of the Seward County Public Power District (Seward Co. PPD) met for a regular board meeting on February 17, 2017 and by a unanimous vote of 5 to 0 authorized a Petition to merge with the Norris PPD and dissolve the Seward Co. PPD. Seward Co. PPD Resolution #2017-3 was filed along with the petition stating that the board intended to dissolve the Seward Co. PPD as a legal entity once the merger is approved by the Board. Norris PPD will acquire all assets of the Seward Co. PPD. The chartered territory of the Seward Co. PPD will be added to the chartered territory of the Norris PPD.

4. Both Norris PPD and Seward Co. PPD are public corporations and political subdivisions of the State of Nebraska organized and operating under the provisions of Nebraska Revised Statute sections 70-601 to 70-681. Both districts are active operating districts in the State of Nebraska.

5. In accordance with Neb. Rev. Stat. § 70-663, the Board published notice of the proposed amendments to Norris PPD's charter for three consecutive weeks in three legal newspapers of general circulation within Norris PPD's service area and Seward County Public Power District's service area. The notice was published in the *Lincoln Journal Star*, the *Beatrice Daily Sun*, and the *Seward County Independent* newspapers on February 15, 22, and March 1, 2017.

6. The public notice set forth that any protests, complaints, or objections must be received by the Board prior to the date of the hearing, a date at least three weeks after the last date of publication of the notice. No protests, complaints, or objections were filed with the Board prior to March 24, 2017.

7. The Board set the matter for a formal evidentiary hearing on March 24, 2017. The Board consolidated the hearings on the Seward Co. PPD's Petition for Dissolution and the Norris PPD's Petition for Charter Amendment 19. A Notice of Hearing was sent to the parties on March 3, 2017.

8. As amended, the Norris PPD's charter would read in its entirety as follows:

"1. That the name of the proposed district is and shall be NORRIS PUBLIC POWER DISTRICT.

2. That Norris Public Power District shall be composed and consist of the following voting precincts:

The following voting precincts established and located within the County of Thayer, Nebraska: Deshler Voting Precinct, Davenport Voting Precinct, Bruning Voting Precinct, Alexandria Voting Precinct, Chester Voting Precinct, Hebron North Voting Precinct and Hebron South Voting Precinct.

The following voting precincts established and located within the County of Jefferson, Nebraska: Eureka-Washington Voting Precinct, Gibson-Plymouth Voting Precinct, Meridian-Lincoln-Richland-Fairbury Voting Precinct, Buckley-Antelope-Endicott Voting Precinct, except the territory and the voting precincts which are located within the corporate limits of the City of Fairbury, Nebraska; Cub Creek-Rock Creek Voting Precinct, and Jefferson-Pleasant-Newton Voting Precinct.

The following voting precincts established and located within the County of Saline, Nebraska: Dorchester Voting Precinct, Friend 1 Voting Precinct, Friend 2 Voting Precinct, DeWitt Voting Precinct, Wilber 1 Voting Precinct, Wilber 2 Voting Precinct, Olive Voting Precinct, South Fork Voting Precinct, and Crete & Big Blue Voting Precinct, except the territory and voting precincts located within the corporate limits of the City of Crete, Nebraska.

The following voting precincts established and located within the County of Gage, Nebraska: Adams Voting Precinct, Highland Voting Precinct, Hanover Voting Precinct, Hooker Voting Precinct, Nemaha Voting Precinct, Blue Springs -Wymore Voting Precinct, except the territory and voting precincts located within the corporate limits of the City of Wymore, Nebraska; Island Grove Voting Precinct,

Filley Voting Precinct, Logan Voting Precinct, Barneston Voting Precinct, Liberty Voting Precinct, Rockford Voting Precinct, Sherman Voting Precinct, Grant Voting Precinct, Holt Voting Precinct, Clatonia Voting Precinct, Blakely Voting Precinct, Lincoln Voting Precinct, Riverside Voting Precinct include only Sections 7, 12, 13, 14, 17-36, Township 3 North, Range 6 East; Midland Voting Precinct, include only Sections 1-14, 17-20, 24-25, and 30, Township 4 North, Range 6 East; and further excluding the territory and voting precincts located within the corporate limits of the City of Beatrice; Elm Voting Precinct, Sicily Voting Precinct, Glenwood Voting Precinct, and Paddock Voting Precinct.

The following voting precincts established and located within the County of Lancaster, Nebraska: West Salt Voting Precinct, Elk Voting Precinct, Oak voting Precinct, include only Sections 1-4, 11-14, 24, 25, 36, Township 11 North, Range 5 East, and Sections 1-19, 30, Township 11 North, Range 6 East, Rock Creek Voting Precinct, include only Sections 3-10, 15-22, 27-31, Township 12 North, Range 7 East, and only Sections 3-9, 18, Township 11 North, Range 7 East; Waverly 2 Voting Precinct, exclude only Sections 11-14, 23-26, 35, 36, Township 11 North, Range 7 East, and Sections 7-10, 15-22, 27-34, Township 11 North, Range 8 East; and further excluding the territory and voting precincts located within the corporate limits of the City of Waverly, Nebraska; Stevens Creek Voting Precinct, include only Sections 1, 2, 10-15, 20-24, Township 10 North, Range 8 East; Grant 3 Voting Precinct, include only Sections 25-29, 32-36, Township 10 North, Range 8 East and only Sections 1-5, 8-12, Township 9 North, Range 8 East; Stockton Voting Precinct, exclude Sections 18, 19, 30, Township 9 North, Range 8 East; Grant 2 Voting Precinct, include only Section 36 Township 9 North, Range 7 East and include only Section 1, Township 8 North, Range 7 East; Middle Creek Voting Precinct, include only Sections 4-9, 16-21, Township 10 North, Range 5 East; Denton Voting Precinct, exclude Sections 25-27, 34-36, Township 10 North, Range 5 East; Yankee Hill West Voting Precinct, include only the West One-Half of Section 17, Sections 18-20, 28-33, Township 9 North, Range 6 East; Yankee Hill East Voting Precinct, include only Sections 34, 35 and the West One-Half of Section 36 Township 9 North, Range 6 East; Centerville Voting Precinct, Buda Voting Precinct, Saltillo 1 Voting Precinct, Saltillo 2 Voting Precinct, South Pass Voting Precinct, Nemaha Voting Precinct, Panama Voting Precinct, and further excluding the territory and voting precincts located within corporate limits of the City of Lincoln, Nebraska.

The following voting precincts established and located within Seward County, Nebraska: Voting Precincts B, C, E, G, excluding the City of Seward, H, I, J, K, M-Beaver Crossing, M-Cordova, and O, excluding the City of Milford; the following described real estate in Seward County, Nebraska: the North Half of Sections 1-5, Township 12 North Range 2 East; The Northwest Quarter of Section 3, and the North Half of Sections 4-6, Township 12 North, Range 3 East; the Northwest Quarter of Section 6, Township 12 North, Range 1 East; and the

Northwest Quarter of Section 30, the Southwest Quarter and North Half of Section 19, the Northwest Quarter of Section 20, all of Section 18, the West Half of Section 17, the West Half of the West Half of Section 7, and the West Half of the Southwest Quarter of Section 6, Township 11 North, Range 1 East.

The following described real estate in Butler county, Nebraska: The South Half of the Southeast Quarter of Section 34, and the South Half of the South Half of Sections 35 and 36, Township 13 North, Range 3 East; the South Half of the South Half of Sections 31-36, Township 13 North, Range 1 East; the South Half of the South Half of Section 31, Township 13 North, Range 2 East.

The following described real estate in York County, Nebraska: the Northeast Quarter of Section 1, the Southeast Quarter of Section 25 and the East Half of Section 36, Township 11 North, Range 1 West; the Southeast Quarter of Section 1, the South Half of the Southeast Quarter and the East Half of the Northeast Quarter of the Southeast Quarter of Section 11, the East Half of Section 12, the Southwest Quarter of Section 12, East Half of Section 14, all of Section 13, East Half of Section 23, all of Section 24, the East Half of Section 26, all of Section 25, the Northeast Quarter of Section 35, the East Half and the Northwest Quarter of Section 36 in Township 12 North, Range 1 West the East Half of Section 1, 12, 13, 24, 25, and the East Half of the Southeast Quarter and the East Half and the Northeast Quarter of Section 36, Township 9 North, Range 1 West; the East Half of Sections 1, 12, 13, the Northeast Quarter of Section 24, the East Half of Sections 25 and 36, all in Township 10 North, Range 1 West.

3. That a general description of the nature of the business which the District intends to engage in is the electric light and power business; and a general description of the location and method of operation of the proposed power plants and systems is those facilities now owned or operated by the District and any extensions or additions thereto which are permitted by law. In connection therewith the District shall have power to do all things permitted by the laws of the State of Nebraska, as from time to time amended. Provided, however, that the plants, systems, and works of this District, the operation of the same, the exercise of powers, and the assumption of duties and responsibilities, of or on the part of this District, shall not nullify or conflict with, or materially affect those of, or on the part of, any other district.

4. That the principal place of business of the proposed district shall be located at Beatrice, Nebraska.

5. That the proposed district shall have no power of taxation and all property within said district shall be exempt from the levy of any taxes for the payment of any obligations of the district.

6. That the Board of Directors of Norris Public Power District shall consist of 13 members. The territory of the District shall be, and hereby is, divided into 13 subdivisions for the purpose of election of the Directors and appointment by the Governor to fill vacancies as follows:

**District I** shall be composed and consist of West Salt Voting Precinct; Oak Voting Precinct, include only Sections 1-19, 30, Township 11 North, Range 6 East; Rock Creek Voting Precinct, include only Sections 3-10, 15-22, 27-34, Township 12 North, Range 7 East, and only Sections 3-9, 18, Township 11 North, Range 7 East; Waverly 2 Voting Precinct, excluding Sections 11-14, 23-26, 35, 36, Township 11 North, Range 7 East, Sections 7-10, 15-22, 27-34, Township 11 North, Range 8 East; and further excluding the territory and voting precincts located within the corporate limits of the City of Waverly, Nebraska; Stevens Creek Voting Precinct, include only Sections 1, 2, 10-15, 20-24, Township 10 North, Range 8 East; Grant 3 Voting Precinct, include only Sections 25-29, 32-36, Township 10 North, Range 8 East, all located in Lancaster County, Nebraska.

**District II** shall be composed and consist of Centerville Voting Precinct, excluding Sections 13-36, Township 8 North, Range 5 East, Saltillo 1 Voting Precinct, Saltillo 2 Voting Precinct, excluding Sections 1-18, Township 7 North, Range 7 East and excluding Sections 1, 12, 13, Township 7 North, Range 6 East, all located in Lancaster County, Nebraska, excluding the territory and voting precincts located within the corporate limits of the City of Lincoln..

**District III** shall be composed and consist of Adams Voting Precinct, located in Gage County, Nebraska; Panama Voting Precinct, Nemaha Voting Precinct, Stockton Voting Precinct, excluding Sections 18, 19, 30, Township 9 North, Range 8 East; Grant 2 Voting Precinct, include only Section 36, Township 9 North, Range 7 East and include Section 1, Township 8 North, Range 7 East; Grant 3 Voting Precinct, include only Sections 1-5, 8-12, Township 9 North, Range 8 East, all located in Lancaster County, Nebraska.

**District IV** shall be composed and consist of Rockford Voting Precinct, Sherman Voting Precinct, Logan Voting Precinct, Filley Voting Precinct, Hanover Voting Precinct, Hooker Voting Precinct, Nemaha Voting Precinct, all located in Gage County, Nebraska; South Pass Voting Precinct, Saltillo 2 Voting Precinct, include only Sections 1, 12, 13, Township 7 North, Range 6 East, and include only Sections 1-18, Township 7 North, Range 7 East, all located in Lancaster County, Nebraska.

**District V** shall be composed and consist of Wilber 2 Voting Precinct, located in Saline County, Nebraska; Clatonia Voting Precinct, Highland Voting Precinct, all located in Gage County, Nebraska; Buda Voting Precinct, Centerville Voting

Precinct, include only Sections 13-36, Township 8 North, Range 5 East, all located in Lancaster County, Nebraska.

**District VI** shall be composed and consist of Elk Voting Precinct, Oak Voting Precinct, include only Sections 1-4, 11-14, 24, 25, 36, Township 11 North, Range 5 East; Middle Creek Voting Precinct, include only Sections 4-9, 16-21, Township 10 North, Range 5 East; Denton Voting Precinct, excluding Sections 25-27, 34-36, Township 10 North, Range 5 East; Yankee Hill West Voting Precinct, include only the West One-Half of Section 17, Sections 18-20, 28-33, Township 9 North, Range 6 East; Yankee Hill East Voting Precinct, include only Sections 34, 35, and the West One-Half of Section 36, Township 9 North, Range 6 East, all located in Lancaster County, Nebraska, excluding the territory and voting precincts located within the corporate limits of the City of Lincoln.

**District VII** shall be composed and consist of Eureka-Washington Voting Precinct, include only Sections 1-36, Township 4 North, Range 2 East; Gibson-Plymouth Voting Precinct, all located in Jefferson County, Nebraska; South Fork Voting Precinct, excluding Sections 1-36, Township 6 North, Range 2 East; Wilber 1 Voting Precinct, DeWitt Voting Precinct, all in Saline County, Nebraska; Grant Voting Precinct, Blakely Voting Precinct, all located in Gage County, Nebraska.

**District VIII** shall be composed and consist of Glenwood Voting Precinct, Paddock Voting Precinct, Barneston Voting Precinct, Liberty Voting Precinct, Elm Voting Precinct, Sicily Voting Precinct, Blue Springs-Wymore Voting Precinct, excluding the territory and voting precincts located within the corporate limits of the City of Wymore, Nebraska; Island Grove Voting Precinct, Riverside Voting Precinct, including only Sections 7, 12-14, 17-36, Township 3 North, Range 6 East; Midland Voting Precinct, include only Sections 1-14, 17-20, 24, 25 and 30, Township 4 North, Range 6 East; and excluding the territory and voting precincts located within the corporate limits of the City of Beatrice, Nebraska; Holt Voting Precinct, all located in Gage County, Nebraska.

**District IX** shall be composed and consist of Olive Voting Precinct, South Fork Voting Precinct, excluding Sections 1-36, Township 5 North, Range 2 East; Friend 1 Voting Precinct, Friend 2 Voting Precinct, Dorchester Voting Precinct and Crete & Big Blue Voting Precinct, excluding the territory and voting precincts located within the corporate limits of the City of Crete, all located in Saline County, Nebraska.

**District X** shall be composed and consist of Alexandria Voting Precinct, include only Sections 1-36, Township 4 North, Range 1 West; Bruning Voting Precinct, Davenport Voting Precinct, Deshler Voting Precinct, Hebron North Voting Precinct

and Hebron South Voting Precinct; and Chester Voting Precinct, all located in Thayer County, Nebraska.

**District XI** shall be composed and consist of Alexandria Voting Precinct, excluding Sections 1-36, Township 4 North, Range 1 West, located in Thayer County, Nebraska; Eureka-Washington Voting Precinct, include only Sections 1-36, Township 4 North, Range 1 East; Meridian-Lincoln-Richland-Fairbury Voting Precinct, Buckley-Antelope-Endicott Voting Precinct, excluding the territory and voting precincts located within the corporate limits of the City of Fairbury, Nebraska; Cub Creek-Rock Creek Voting Precinct, Jefferson-Pleasant-Newton Voting Precinct, all located in Jefferson County, Nebraska; Lincoln Voting Precinct, located in Gage County, Nebraska.

**District XII** shall be composed and consist of Voting Precincts G, excluding the City of Seward, H, J, I, and O, excluding the City of Milford, all located in Seward County, Nebraska; and the following described real estate located in Butler County, Nebraska: the South Half of the South Half of Sections 31-36, Township 13 North, Range 4 East.

**District XIII** shall be composed and consist of Voting Precincts B, C, E, K, M-Beaver Crossing, and M-Cordova in Seward County, Nebraska;

The following described real estate located in Butler County, Nebraska: The South Half of the Southeast Quarter of Section 34, and the South half of the South Half of Section 35 and 36, Township 13 North, Range 3 East; and the South Half of the South Half of Sections 31-36, Township 13 North, Range 1 East; the South Half of the South Half of Section 31, Township 13 North, Range 2 East.

The following described real estate in York County, Nebraska: The East Half of Section 1, 12, 13, 24, 25, and the East Half of the Southeast Quarter and the East Half and the Northeast Quarter of Section 36, Township 9 North, Range 1 West; the East Half of Sections 1, 12, 13, the Northeast Quarter of Section 24, the East Half of Sections 25 and 36, all in Township 10 North, Range 1 West; the Northeast Quarter of Section 1, the Southeast Quarter of Section 25 and the East Half of Section 36, Township 11 North, Range 1 West; the Southeast Quarter of Section 1, the South Half of the Southeast Quarter and the East Half of the Northeast Quarter of the Southeast Quarter of Section 11, the East Half of Section 12, the Southwest Quarter of Section 12, East Half of Section 14, all of Section 13, East Half of Section 23, all of Section 24, the East Half of Section 26, all of Section 25, the Northeast Quarter of Section 35, the East Half and the Northwest Quarter of Section 36 in Township 12 North, Range 1 West.

The following described real estate in Seward County shall be excluded: the North Half of Sections 1-5, Township 12 North, Range 2 East; the Northwest Quarter of Section 3, and the North Half of Sections 4, 5, and 6 in Township 12 North, Range 3 East; the Northwest Quarter of Section 6, Township 12 North, Range 1 East; and the Northwest Quarter of Section 30, the Southwest Quarter and North Half of Section 19, the Northwest Quarter of Section 20, all of Section 18, the West Half of Section 17, the West Half of the West Half of Section 7, and the West Half of the Southwest Quarter of Section 6, Township 11, North, Range 1 East.

7. All present Directors shall continue to serve for the remainder of the terms to which they have been elected and thereafter, in each even numbered year, a Director shall be elected for a regular 6 year term.”

9. The matter had been duly placed on the Board’s agenda for its public meeting held on March 24, 2017. As provided for in Neb. Rev. Stat. § 70-663, on March 24, 2017 the Board held the evidentiary hearing to determine whether or not the charter amendments should be approved.

10. The Board found that the adoption of the proposed amendments will not be contrary to the best interests of Norris PPD. The Board further found that the adoption of the said amendments will not jeopardize or impair the rights of the creditors of the said district or other persons. The Board also found that the plants, systems, and works, the operation of the same, the exercise of powers, and the assumption of duties and responsibilities, of or on the part of Norris PPD will not nullify, conflict with, or materially affect those of, or on the part of, any other district. Based on the foregoing, the Board found that Norris PPD’s Petition for Charter Amendment 19 is entitled to be approved.

11. At the Board’s public meeting held March 24, 2017, a majority of the Board (3 to 0) voted to approve the Norris PPD’s Petition for Charter Amendment 19, merging the chartered territory of the Seward Co. PPD into Norris PPD’s chartered territory, as set out above in paragraph 8 of this Certificate. Due to considerations involved in the dissolution of the Seward Co. PPD, the approval of the charter amendments in this certificate of approval will become effective on May 1, 2017.

THEREFORE, THE PROPOSED CHARTER AMENDMENT 19 to the Norris Public Power District’s charter, as set forth above in the Petition and restated in paragraph 8 of this Certificate, is hereby APPROVED. The effective date of the amendment shall be May 1, 2017.

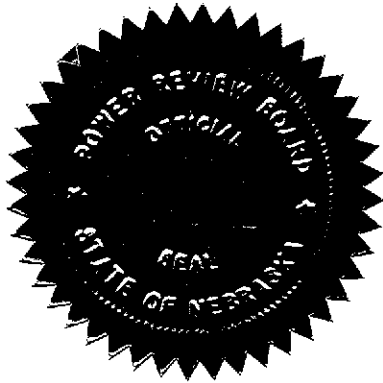
The Certificate of Approval shall be issued in duplicate. One Certificate shall be filed with the office of the Secretary of State; one Certificate shall be filed with the office of the County Clerk for Gage County, Nebraska (the county in which the principal



place of business of the district is located), and one Certificate shall be maintained in the files of the Nebraska Power Review Board.

Dated this 26<sup>th</sup> day of April, 2017.

NEBRASKA POWER REVIEW BOARD



A handwritten signature in black ink, appearing to read "Frank J. Reida", written over a horizontal line.

Frank J. Reida  
Chairman

**CERTIFICATE OF SERVICE**

I, Timothy J. Texel, Executive Director and General Counsel for the Nebraska Power Review Board, hereby certify that a duplicate original of the Certificate of Approval for the Norris Public Power District's Petition for Charter Amendment 19 was hand delivered to the office of the Secretary of State for the State of Nebraska at the address below. I further certify that a duplicate original was sent to the County Clerk for Gage County, and a photocopy was sent to the Norris Public Power District by regular course of U.S. mail, first class postage prepaid, at the addresses below on this 27<sup>th</sup> day of April, 2017.

The Honorable John A. Gale  
Secretary of State for the State of Nebraska  
State Capitol, Suite 2300  
Lincoln, NE 68509

Dawn Hill  
Gage County Clerk  
P.O. Box 429  
Beatrice, NE 68310-0429

Bruce Vitosh  
General Manager  
Norris Public Power District  
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Beatrice, NE 68310

David Jarecke, Esq.  
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Lincoln, NE 68508

A handwritten signature in black ink, appearing to read "Timothy J. Texel", written over a horizontal line.

Timothy J. Texel