

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
February 10th, 2011 immediately following the 2 p.m. Variance Hearing
Board of Directors Meeting

A notice of the meeting was announced over radio station KRVN and published in the newspapers within the District.

INFORMATIONAL MATERIAL MAILED OUT PRIOR TO MEETING:

1. Agenda, LRNRD Public Hearing, 2/11
2. Agenda, LRNRD Variance Hearing, 2/11
3. Agenda, Monthly Board Meeting, 2/11
4. LRNRD Board Meeting & Variance Minutes and Index of Decisions, 1/10
5. Treasurer's Report, 1/10
6. Budget Comparison, 1/10
7. Managers Report, 2/11
8. Variance Request, 2/11
9. NARD – Legislative Report
10. Augmentation Report
11. Testimonies 10-15 from January 13th, Public Hearing
12. Rural Water Treasurer Report, 1/11
13. Board of Education Lands and Funds

MATERIALS HANDED OUT AT THE MEETING:

1. Assistant Managers Report, 2/11
2. NRCS Report, 2/11
3. Change in Location of Certified Acres on Contiguous Property
4. Letter from the Republican River Basin Coalition, 1/11
5. NARD Update
6. Overall Augmentation Options
7. NSWCP Cost Share Report

Chairperson Nelson Trambly called the regular monthly meeting of the Lower Republican NRD Board of Directors to order at 2:10 p.m.

Chairperson Nelson Trambly informed the audience of the Open Meetings Law posters posted in the meeting room.

Directors present: Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: Roger Nelson.

Others present: Pat Underwood, Lower Republican NRD Grant Consultant, Andy Raun, Hastings Tribune, Rich Holloway, Tri-Basin NRD, Robert Wilson, Bladen, Brian Holtze, Wilsonville, Kurtis Huxoll, Cambridge, Dan Bauman, NRCS. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser, Kristi Coe.

Motion #1 by Bill Bose seconded by Matt Harrison to approve the board and variance hearing minutes from the January meetings. Motion carried. Ayes 10 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays – 0 Absent – 1 Roger Nelson.

Motion #2 by Brad Wulf seconded by Matt Harrison to accept the January treasurer's report as distributed. Motion carried. Ayes 10 Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays – 0 Absent – 1 Roger Nelson.

Mike Clements gave his Manager's report. There is a correction on the Manager's Report. The level of the Harlan County Reservoir is 1946.7 not 1926.7. Mike passed around a press release and a Thank you for an Environmental Trust Grant that we sent a letter of support for. The grant was approved for a Nebraska Agriculture Education Soils Project.

Bryan Lubeck discussed his report. Bryan prepared maps on retired acres through the EQIP temporary, EQIP permanent, AWEPP, Decertified Acres Permanent, Total Irrigated Acres Permanently Retired, CREP and Total Irrigated Acres no longer irrigated in the LRNRD. Not all counties utilized all of the programs available, but all counties did have irrigated acres retired through at least one of the programs. Copies of these maps are in the minute book.

Dan Bauman, Harlan County NRCS, gave the NRCS report. A copy of this report is in the minute book.

Motion #3 by Matt Harrison seconded by Bill Bose to approve Variance Request #127 for Kurtis Huxoll. Motion Carried. Ayes 10 Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0 Absent – 1 Roger Nelson.

Motion #4 by Brad Wulf seconded by Dave Bartels to approve Variance Request #126 for Robert Wilson. Motion Carried. Ayes 10 Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays – 0 Absent – 1 Roger Nelson.

Motion #5 by Clark Andrews seconded by Dave Bartels to approve Variance Request #128 for Brian Holtze. Motion Carried. Ayes 10 Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays – 0 Absent – 1 Roger Nelson.

Kristi Coe presented Walt Rankin, WCG Land & Cattle, LLC, Brian Holtze, Roxanne Klinkebiel Change in Location of Certified Acres on Contiguous Property. A copy of these requests is in the minute book.

Motion #6 by Bill Bose seconded by Marlin Murdoch to approve Walt Rankin, WCG Land & Cattle, Ackerman Trust, Glenda Anderson, Norbert Pokorny, Robert Wilson, Rolland Fletcher Change in Location of Certified Acres on Contiguous Property. Motion carried. Ayes 10 Jim Moore, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays – 0 Absent – 1 Roger Nelson.

Kristi Coe asked the board for direction on the Surface Water Option. After lengthy discussion a motion was made.

Motion #7 by Clark Andrews seconded by Brad Wulf to move that 4½” be deducted from the five year allocation on the exact acres that are signed up for on contract under the surface water option as stated in our IMP. Motion carried. Ayes 10 Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore. Nays – 0 Absent – 1 Roger Nelson.

Comments from the public: Brad Lundeen, Wilcox, had concerns and solutions for the IMP. A copy of this report is in the minute book.

Mike Clements received notice that the LRNRD received \$30,000 from Environmental Trust.

Mike Clements announced that the NRD was awarded \$30,000 in grant money through the Environmental Trust. The grant is to go toward the purchase of two new grass drills. We were not awarded the full \$38,000 that was applied for. Initially, the LRNRD was going to purchase two grass drills hoping the Environmental Trust money would pay for one and the NRD would pay for the second. In order to receive the full \$30,000 the NRD will have to purchase two drills or purchase one drill and turn back \$10,000. The money will not be available until July, 2011.

Mike Clements updated the board on the legislative bills. Copies of these bills are in the minute book.

Marlin Murdoch left at 3:55 p.m.

Mike Clements talked to the board about the Augmentation Project. Mike explained to the board that the NRD needs to decide to either proceed or hold off on the project. Mike explained that if we proceed we will be spending a considerable amount of money on observation wells.

Motion #8 by Brad Wulf seconded by Matt Harrison to put a hold on the Augmentation Project. Motion carried. Ayes 9 Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore. Nays – 0 Absent – 2 Roger Nelson, Marlin Murdoch.

Mike talked to the board about a new camp option for kids in our area. Adventure Camp is about the Environment and hosted by the Nebraska Natural Resources. The ACE camp is available to 6th – 8th graders who want to learn more about natural resources, it is held at the State 4-H camp in Halsey. It was asked if the LRNRD would like provide a couple of scholarships for kids to attend this camp. A copy of the brochure will be available at the LRNRD and the local NRCS offices.

Motion #9 by Matt Harrison seconded by Toby tenBensel to sponsor two scholarships to the Adventure Camp in Halsey. Motion carried. Ayes 9 Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore. Nays – 0 Absent – 2 Roger Nelson, Marlin Murdoch.

Brad Wulf left at 4:15 p.m.

Pat Underwood discussed the Conservation Easements potential grant project; the outcome of the Environmental Trust grant applications; and the final details of the Bureau of Reclamation WaterSMART grant proposal which is being submitted on February 11th. This application includes funding for the clean out of District tributaries and for a pilot project in collaboration with the Frenchman-Cambridge Irrigation District that would use grant funding to pay for some of the infrastructure costs to enable groundwater irrigators to switch to surface water during wet years.

Testimonies from the January Public Hearing were made available to everyone. Copies of these testimonies are in the minute book.

There were no updates on the Rural Water Project.

Motion #10 by Jim Moore seconded by Bill Bose to approve the Rural Water treasurer's report as presented. Motion carried. Ayes 8 Nelson Trambly, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Toby tenBensel. Nays – 0 Absent – 3 Roger Nelson, Marlin Murdoch, Brad Wulf.

Board of Education Lands and Funds were presented and signed.

#109623-18	Jeff Swanson	16-4-19	Harlan Co.
109701-18	Matt Schultz	16-4-20	Harlan Co.

Motion #11 by Bill Bose seconded by Jim Moore to approve the Cost Share Time Extensions as presented. Motion carried. Ayes 8 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Nelson Trambly, Toby tenBensel. Nays – 0 Absent – 3 Roger Nelson, Marlin Murdoch, Brad Wulf.

FU753	Phillips Co.	May 5, 2011
FU751	Adams Land Improvements	April 22, 2011
NU273	Gayle Eitzmann	April 23, 2011
H603	Flag Creek Farms	April 23, 2011
W480	David Alber	May 11, 2011
FR512	Randy Lieneman	April 30, 2011

There was no RC&D update given.

The next regularly scheduled board meeting will be March 10th, 2011 starting with the Variance Hearings at 2:00 p.m., followed by the regular board meeting.

Secretary

Date

Summary of the Surface Water Option discussion:

Kristi Coe asked the board for direction on the Surface Water Option. Matt Harrison said that if they are enrolled in the surface water option (water coming out the head gate not in storage). If they enrolled in the surface water option they agreed to have a limit of 4½ inches of groundwater on there field if they used all there surface water. If they use any groundwater it is taken off if they happen to use over they use over the 4½ wouldn't it be two to one? Even if they didn't use the surface water because they may have used the groundwater to water the crop. Now, how do we treat this from now on with our current IMP? They enroll in the surface water option they have to take 4½ inches off their five year total. The 4½ inches they for go in order to enroll in the surface water option. Kristi asked if that was per year or the year that it is available. The IMP currently states we have a total allocation of 45 inches; the 4½ inches will be taken off the TOTAL allocation. Kristi asked if that was off of there total field ID or their total co-mingled acres. Matt says on that particular field because it is on a per field basis. Kristi explains that is they have a 180 acre field ID and 100 of those acres can be co-mingled but they only sign up to co-mingle 20 acres, we are only to take the 4½" from those 20 acres that they say they are going to apply surface water on. Matt says that somewhere it has to come off the total since they enrolled in the option. If they enroll in the option and did not use any surface water they end up pumping all groundwater. The idea was to limit them to 4½" of groundwater by signing up for the surface water option. Dave Bartels asked if there was a penalty clause if you went over that. Kristi said the only penalty clause is at the end of an allocation period if they are over. In the rules and regs it doesn't say they are limited to 9" per year, they could put on 12", they just don't those just don't get those extra inches at the end of the allocation period. Kristi asked why they are penalized on the surface water. Kristi then asked if a producer signs up for the surface water option and they didn't use any surface water are the deducted anything? Matt says that they just didn't use any surface water. The idea was the limit was 4½". If they signed up for the option they agreed to the limit of 4½" of groundwater usage per certified irrigated acre. They for go the 4½" by signing up for this option. Brad Wulf said that if don't use any groundwater then you just put down zero. The question was still if they signed up for surface water and they used no surface water and used all groundwater. Matt says the 4½" that is available for them to use, they for go the top 4½" when they signed up for the option. Bryan Lubeck says that if they don't use surface water, they only have 4½" of groundwater to use, what happens if they use 7 inches of groundwater. Nelson Trambly said that everyone should sign-up whether you have any intention or not of using the surface water. If there is no penalty for using more that the 4½" why have the option? Mike Clements said that if you sign up for the program you take 4½" off their groundwater allocation. Mike didn't feel we wanted to get into limiting each year what they can use; it has to be in that allocation period. Kristi completed with; if they sign up and didn't use any surface water and just used groundwater it is back to normal, no penalty? It was said that if they sign up for the surface water option, they lose 4½" even if they don't use it. Kristi says that some will sign up and tell her all acres that can be irrigate not exactly that they irrigate. It was said they will have to commit to what they are going to irrigate. Mike explains that we take the surface water off of the ground water allocation (in a normal year) up to nine inches, if you sign up for this option it will be taken off of the co-mingled acres, so don't misconstrue taking it off of you total acres or anything else. We are just talking about co-mingled acres and if you are signed up for the program then we need to know, if we are to take it off of the acres that they sign up for at the beginning of the year or do you want it off of the acres that they actually irrigated. An agreement will be drawn up for approval at the next meeting.