

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
January 9th, 2014

Board of Directors Meeting

A notice of the meeting was published in the local newspapers within the District and on the District Website at www.lnrdr.org.

INFORMATIONAL MATERIAL MAILED OUT PRIOR TO THE MEETING

1. Agenda, 1/14
2. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 12/13
3. Treasurer's Report, 12/13
4. Manager's Report
5. Assistant Manager's Report
6. NRCS Report – Jerry Kovarik
7. NRCS US Department of Ag Acknowledgment of Section 1619 Compliance
8. Cooperative Working Agreement Between the NRCS/US Dept of Ag & the State of NE & the LRNRD
9. Amendment #4, Cooperative Agreement between the NE Game & Parks Commission & the LRNRD
10. Change in Location of Certified Acres on Contiguous Property
 - a.) **Andrew Meyer**
 - b.) **Jerry Fouts**
 - c.) **MKB Partnership (Kirk Gardels)**
 - d.) **Lyle Martin**
 - e.) **Douglas R. Walker**
11. Rule 7-6 Pooling Arrangements or Agreements and Allocation of Groundwater
12. Letter from DNR – Transmittal of Short-Term & Long-Term Forecast of Available Water Supplies in the Republican Basin (Final Forecast)
13. Rural Water District Treasurer Report, 12/13

MATERIALS HANDED OUT AT THE MEETING:

1. Agenda, 1/14
2. LRNRD Static Water Level Changes from 1979-2013

Chairperson Nelson Trambly called the meeting of the Lower Republican NRD Board of Directors to order at 2:00 p.m. Nelson Trambly noted that guests should sign the attendance roster and noted the location of a current copy of the statutes dealing with public meetings laws and the booklet with the information provided to directors.

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

Absent: Roger Nelson.

Others present: Jerry Kovarik, NRCS, John Thorburn, TBNRD, Andy Raun, Hastings Tribune, Ray Winz, Holdrege, Troy Fletcher, Oxford, Dan Hughes, Venango. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser, and Kristi Coe.

Mike Clements took over for election of officers:

Michael Clements asked for nominations for Chairperson, Nelson Trambly and Marlin Murdoch were nominated. Marlin Murdoch was selected as Chairperson with 5 votes in favor.

Michael Clements asked for nominations for Vice-Chairperson, Bill Bose, Nelson Trambly, and Toby tenBensel were nominated. Bill Bose was elected Vice-Chairperson with 6 votes in favor.

Michael Clements asked for nominations for Secretary, Nelson Trambly, and Dave Bartels, Toby tenBensel, Tim Kahrs, Clark Andrews were nominated. Dave Bartels was selected as Secretary with 6 votes in favor.

Michael Clements asked for nominations for Treasurer, Toby tenBensel, Nelson Trambly, Matt Harrison were nominated. Toby tenBensel was elected as Treasurer with 6 votes.

Officers:

Marlin MurdochChairperson
 Bill Bose..... Vice Chairperson
 Dave BartelsSecretary
 Toby tenBensel.....Treasurer

Motion #1 by Bill Bose seconded by Tim Kahrs to approve the Executive Committee as Nominated. Motion carried.
 Ayes 10 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0. Absent 1 Roger Nelson.

Representatives:

Roger Nelson.....NARD Representative
 Nelson TramblyNARD Alternate
 Toby tenBensel.....Southwest Nebraska RC&D Representative
 Clark Andrews.....Southwest Nebraska RC&D Alternate
 Brad Wulf.....Trailblazer RC&D Representative
 Mike ClementsTrailblazer RC&D Alternate
 Toby tenBensel.....NRRMDA Representative
 Matt HarrisonNRRMDA Alternate
 Brad Wulf.....Rural Water District Advisory Committee Rep.
 Bill Bose.....N-CORPE Representative
 Dave BartelsN-CORPE Alternate

Scholarship Committee: (3 Directors and 2 Staff personnel)

Clark Andrews
 Terry Hoit
 Toby tenBensel
 Bryan Lubeck
 Lauri Smith

Motion #2 by Bill Bose seconded by Matt Harrison to accept the Representatives and Scholarship Committee as Nominated. Motion carried. Ayes 10 – Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent 1 Roger Nelson.

Motion #3 by Matt Harrison seconded by Terry Hoit to authorize the Lower Republican NRD Board Chairperson, Treasurer and the District's General Manager, Assistant Manager and the Administrative Bookkeeper/Assistant to sign and open on all LRNRD accounts and LRNRD Rural Water Accounts. Motion carried. Ayes 10 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 0. Absent 1 Roger Nelson.

Motion #4 by Matt Harrison seconded by Toby tenBensel to approve the board minutes from the December Board Meeting. Motion carried. Ayes 10 –Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays 0. Absent 1 Roger Nelson.

Motion #5 by Toby tenBensel seconded by Matt Harrison to approve the special meeting minutes from December.. Motion carried. Ayes 10 –Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays 0. Absent 1 Roger Nelson.

Motion #6 by Clark Andrews seconded Toby tenBensel to approve the variance hearing meeting minutes from December. Motion carried. Ayes 10 –Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays 0. Absent 1 Roger Nelson.

Motion #7 by Matt Harrison seconded by Nelson Trambly to approve the LRNRD Treasurer's Report as presented. Motion carried. Ayes 10 –Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs. Nays 0. Absent 1 Roger Nelson.

Clements will travel to Fort Collins, CO to speak at the Four States Water Conference on January 16th he will talk about the N-CORPE project. A copy of the Manager's report is in the minute book.

Mike also updated the board on the N-CORPE Project. Phase one wells are expected to be operational by late January. Phase two should still be sometime in late February. Construction delays involved boring under the natural gas pipeline and in December when we had extreme cold weather, they could not pour concrete. We are still on track to be able to pump 50,000AF this year.

Bryan reported the LRNRD Static Water Level Changes from 1979 – 2013. A full copy of the Assistant Manager's report is in the minute book.

LRNRD SWL Changes		
Average Change per County (ft.)		
60 wells	Furnas	-0.9
105 Wells	Harlan	0.5
60 Wells	Franklin	-0.6
42 Wells	Webster	-0.8
9 Wells	Nuckolls	-0.4
276 Wells Average Change for LRNRD = -0.5 feet		

Jerry Kovarik, gave the NRCS report and updated the board on EQIP, AWEP, CStP and lastly the Working Agreements, Mutual Agreements and Acknowledgements of Section 1619 Compliance between the LRNRD and NRCS.

Nebraska Game and Parks Commission has a Service Contract with the LRNRD on a yearly basis this is reviewed. The NRD received \$200 per month plus postage.

Motion #8 by Matt Harrison seconded by Toby tenBensel to approve Amendment No. 4 Cooperative Agreement between the Nebraska Game and Parks Commission and the Lower Republican Natural Resources District. Motion carried. Ayes 8 –Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Tim Kahrs, Marlin Murdoch. Nays 2 Bill Bose, Terry Hoit. Absent 1 Roger Nelson.

Mike Clements presented the Change in Location of Certified Acres on Contiguous Property.

Motion #9 by Tim Kahrs seconded by Nelson Trambly to approve all Change in Location of Certified Acres on Contiguous Property: Andrew Meyer, Jerry Fouts, MKB Partnership (Kirk Gardels), Lyle Martin, Douglas R. Walker. Motion Carried. Ayes 10 –Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch. Nays 0. Absent 1 Roger Nelson.

Discussion was held on implementing pooling of irrigated (effective) acres for the remainder of the current allocation period (2014-2017) and to have a water use limit on pooled and non-pooled acres. Landowners would have the option to pool all or some of their certified (effective) acres as long as they do not exceed the water use allowed. Pooling options includes: one pool, multiple pools or not pooling at all. Pooling will only be allowed in your home county or in adjacent counties. There will be a sign-up deadline of May 1st, to submit pooling plans to the NRD. Pooling plans would remain the same unless changes are made by May 1st of each year.

Motion #10 by Clark Andrews seconded by Toby tenBensel to implement pooling of irrigated acres for the remainder of the current allocation period 2014-2017 and to have an 11" per acre limit on pooled acres and a 12" per acre limit on non-pooled acres for the 2014 irrigation season. Motion failed. Ayes 4 – Clark Andrews, Bill Bose, Marlin Murdoch, Toby tenBensel. Nays 6 – Dave Bartels, Matt Harrison, Terry Hoit, Tim Kahrs, Nelson Trambly, Brad Wulf. Absent 1 Roger Nelson.

Motion #11 by Dave Bartels seconded by Clark Andrews to implement pooling of irrigated acres for the remainder of the current allocation period 2014-2017 and to have a 10½" per acre limit on pooled acres and a 11½" per acre limit on non-pooled acres for the 2014 irrigation season. Motion carried. Ayes 9 – Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly. Nays 1 - Terry Hoit. Absent 1 Roger Nelson.

The board discussed setting a public hearing date of February 13th, 2014 at 1:30PM at the Johnson Center.

Motion#12 by Nelson Trambly seconded by Tim Kahrs to set the Public Hearing date for February 13, 2014 at 1:30 pm at the Johnson Center in Alma. Ayes 10 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0. Absent 1 Roger Nelson.

NRD Manager's from the Upper, Middle and Lower Republican received a letter from DNR stating they are predicting dry conditions again this year. The forecasted two-year average for 2013-2014 is negative balance of 17,370AF. Mike explained that we have until January 31st, 2014, to submit our plan to implement the necessary management actions for the upcoming year. A copy of this letter is in the minute book.

Comments from the public: Dan Hughes, Venango, NE introduced himself to the board. He is running for Nebraska Legislature District 44.

Motion #13 by Bill Bose seconded by Toby tenBensel to approve the Rural Water Treasurer's report as presented. Motion carried. Ayes 10 –Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent 1 Roger Nelson.

Motion #14 by Clark Andrews seconded by Toby tenBensel to move that the Board go into Executive session at 3:28 p.m. to discuss Kansas vs Nebraska Supreme Court Lawsuit. Motion carried. Chairman admonished board that this is the only subject that can be discussed in closed session. Ayes 10 –Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 0. Absent 1 Roger Nelson.

Motion #15 by Clark Andrews seconded by Matt Harrison move that the Board come out of Executive Session at 4:23 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 10 –Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays 0. Absent 1 Roger Nelson.

The meeting was adjourned at 4:23PM.

The next regularly scheduled board meeting will be February 13th, 2014 starting at 1:30PM with a public hearing at the Johnson Center.

Secretary

Date