

**MINUTES**  
**LOWER REPUBLICAN NATURAL RESOURCES DISTRICT**  
*Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE*  
*Immediately following the Conclusion of the Variance Hearings*  
April 13<sup>th</sup>, 2017 at 7:00 pm

**Board of Directors Meeting**

A notice of the meeting was published on the District Website at [www.lrnrd.org](http://www.lrnrd.org).

**MATERIAL E-MAILED OUT PRIOR TO THE MEETING & HANDED OUT AT THE MEETING**

1. Agenda
2. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 3/17
3. LRNRD/RWP/PRDP Treasurer's Report, 3/17
4. Manager/Assistant Manager's Report
5. NRCS Report
6. Blickenstaff, Hawley, Martin Variance Request Retroactive to 2013
7. Variance Requests
  - a. Rhn Jacobsen
  - b. Nelson Trambly
8. John F. & Carman L. Davis Cease & Desist Order Imposing Penalties

Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order at 7:08p.m. Marlin Murdoch noted at the beginning of the Variance Hearing that guests should sign the attendance roster and noted the location of a current copy of the statutes dealing with public meetings laws.

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

Absent: none.

Others present: Jerry Kovarik, NRCS, Troy Fletcher, Oxford, Vernon Blickenstaff, Stamford, Tammy Fahrenbruch, TBNRD, William L. Horwart, Stamford, Rhn Jacobsen, Franklin. Staff present: Mike Clements, Scott Dicke, Shirlee Poyser and Kristen Heft.

**Motion #1 by Bill Bose seconded by Matt Harrison to approve the board minutes, variance minutes, and the public hearing minutes from the March board meeting. Motion carried.** Ayes 11, Nays 0. Absent 0.

**Motion #2 by Tim Kahrs seconded by Matt Harrison to approve the LRNRD and RWP Treasurer's Report as presented. Motion carried.** Ayes 11 Nays 0. Absent 0.

NRCS reported on the EQIP, and RCPP programs. A full report is in the minute book.

The Manager/Assistant Manager's report highlighted many activities in March. Ameritas had a successful sale of the 2017 Occupation Tax Revenue Refunding Bonds. The market responded well and we realized in excess of \$13,000,000 in total debt service savings for the combined Districts. The LRNRD had a \$2.4 million debt service savings. The savings are mainly attributable to a 1.5% reduction in interest and an upgrade of the new bonds to double A rating. The LRNRD annual debt service savings will be approximately \$112,000.

The LRNRD selected two scholarships winners: Kailey Conway of Campbell, Haley Ehrke of Orleans. Alternate is Lance Aspegren of Wilcox.

The three states met in Manhattan, Kansas last month and water supply updates show that KBID's irrigation supply is 63,000 AF. If that supply were to exceed 68,000 AF on or before June 30<sup>th</sup>, we would be out of a Water Short Year. The last of the N-CORPE wells were shut off March 30<sup>th</sup>. To date, 10,800 AF has been pumped since November of 2016. The LRNRD has a projected two-year deficit of -7,100 AF of which we have agreed to off-set 3,800 AF by June 1<sup>st</sup>. Any further off-sets that may be required will be provided this fall.

There were no comments from the public.

The Blickenstaff, Hawley, Martin variance request approved last month, added 8.9 acres to the certified acres. These irrigated acres were added changing the certified acres from 142.7 to 151.6. Vernon Blickenstaff is asking if this could be made retroactive back to 2013. Adding 8.9 irrigated acres would add 2.07 inches back into this allocation total.

**Motion #3 by Matt Harrison seconded by Terry Hoit to approve adding 8.9 certified acres retroactive back to 2016 on the Blickenstaff, Hawley, Martin variance request. Motion failed.** Ayes 4, Nays 7 Bill Bose, Tim Kahrs, Marlin Murdoch, Roger Nelson, Brad Wulf, Matt Harrison, Terry Hoit. Absent 0.

**Motion #4 by Brad Wulf seconded by Bill Bose to approve adding 8.9 certified acres retroactive back to 2013 on the Blickenstaff, Hawley, Martin variance request. Motion carried.** Ayes 8, Nays 3 Matt Harrison, Terry Hoit, Tim Kahrs. Absent 0.

Brief discussion was held on Variance Request #261.

**Motion #5 by Tim Kahrs seconded by Matt Harrison to approve Variance Request's for: Rhn Jacobsen #261. Motion carried.** Ayes 11, Nays 0. Absent 0.

Discussion was held on the Variance Request #260.

**Motion #6 by Clark Andrews seconded by Toby tenBensel to approve Variance Request for: Nelson Trambly #260. Motion carried.** Ayes 6, Nays 4 Tim Kahrs, Marlin Murdoch, Bill Bose, Matt Harrison. Abstained 1 Nelson Trambly. Absent 0.

On the Cease and Desist Order Imposing Penalties in the John F & Carman L. Davis matter and now considered the evidence presented by the District, the Board finds Respondents have violated Rules 2-2.2(5). Wherefore, the Board of Directors for the Lower Republican NRD District orders:

1. Respondents make payment of the 2016 Occupation Tax avoided by the misclassification of the property at issue.
2. Respondents forfeit nine (9) acre-inches for the 2016 irrigation season; and
3. Respondents forfeit four (4) acre-inches of their current base allocation.

**Motion #7 by Toby tenBensel seconded by Bill Bose to approve the Cease and Desist Order Imposing Penalties in the matter of John F. and Carman L. Davis. Motion carried.** Ayes 11, Nays 0. Absent 0.

Scott Dicke updated the board on the Platte Republican Diversion project. A meeting was held with consultants on the final design. Also, met with Central on the Revised Water Service Agreement. Mike Clements, John Thorburn and Scott Dicke met with DNR Director Jeff Fassett and received feedback on the appropriation process. Mike and Scott met with NE Game and Parks Commission to get feedback.

Rural Water update. Mike said that once or twice a year we physically read the rural water meters to true up on the readings. Livestock wells are being inspected also. We were not able to get new electronic meters, because we missed receiving a grant by one point.

Scott Dicke showed a video on Envirothon. There were 92 teams in the State of Nebraska, 14 teams go to State competition. Southern Valley is in second place, and Arapahoe is sixth statewide. Nebraska has applied and is planning for the 2020 National Envirothon. They have asked the NRD managers to consider setting aside money for the next three years to help sponsor the National Envirothon. The LRNRD would need to look at budgeting \$3,036 for the next three years.

The NRD's are looking at a modeling tool called Conjunctive Management Action Tool (CMAT) and a two year commitment of \$18,000 per year to help develop this program.

**Motion #8 by Toby tenBensel seconded by Bill Bose to not participate in the CMAT. Motion carried.** Ayes 11, Nays 0. Absent 0.

NCORPE update was discussed in the Manager's report.

**Motion #9 by Clark Andrews seconded by Terry Hoit to move that the Board go into closed session at 8:48 pm. to discuss personnel and eminent litigation. Motion carried.** Ayes 11, Nays 0. Absent 0.

**Motion #10 by Terry Hoit seconded by Dave Bartels to move that the Board come out of closed session at 9:00 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session.** Motion carried. Ayes 11, Nays 0. Absent 0.

The next regularly scheduled board meeting will be May 11<sup>th</sup>, 2017 at 7:00 pm.

The meeting was adjourned at 9:00 pm.

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Secretary

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Date

Recorded and Distributed by: Shirlee Poyser, Administrative Assistant  
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