

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
April 9th, 2009
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, Monthly Board Meeting, 4/9/09
2. LRNRD Board Meeting Minutes and Index of Decisions, 3/09
3. Treasurer's Report, 3/31/09
4. Budget Comparison, 3/31/09
5. Managers Report
6. Assistant Managers Report
7. Variance Requests: a.) Jerry Rutt b.)Roy Fuchs
8. Change in Location on Contiguous Property, 4/09
a.)Bruce A. Lans b.)Jerry Rutt c.)Rex Woollen d.)Matt Schluntz
9. Rural Water Treasurer Report, 3/31/09
10. AWEF Proposal, 4/09
11. LRNRD GW Rules & Regulations & IMP
12. Memorandum of Agreement, Riverside Irrigation Company
13. Application for Permit to Construct a Well in the LRNRD
14. LRNRD NSWCP Cost Share Report, 3/09

MATERIALS HANDED OUT AT THE MEETING:

1. Agenda, 4/09
2. Static Water Level Report
3. Republican River Basin Coalition, 4/09
4. NARD Bill Summary
5. DNR Water Contingency Cash Fund

Chairperson Nelson Trambly called the regular monthly meeting of the Lower Republican NRD Board of Directors to order at 7:10 p.m.

Directors present: Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf.

Absent: Terry Hoit.

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

Others present: Ginger Jensen, Kearney Hub, Tribune, Nick Simonson, Harlan Co. NRCS, Traci Witthuhn, Republican River Basin Coordinator, James Williams, DNR, Brian Dunnigan, DNR, Karen Labenz, Dana Cole, Brad Edgerton, DNR, John Laux, NGPC. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser, Kristi Coe.

Motion #1 by Roger Nelson seconded by Bill Bose to accept the board minutes as presented from the March board meeting. Motion carried. Roll Call – 10 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf. Nays – 0. Absent - 1 Terry Hoit.

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

Mike Clements had nothing to add to his report. A copy of this report is in the minute book.

Bryan Lubeck included with his report the Static Water Level Change. A copy of this is in the minute book.

Nick Simonson, Harlan County NRCS, gave a brief report.

Traci Witthuhn presented the Republican River Basin Coalition report. A copy of this report is in the minute book.

Comments from the public. The board was asked if Kansas is getting the water they wanted.

Kristi Coe presented Jerry Rutt's Variance Request to the board.

Motion #3 by Jim Moore seconded by Dave Bartels to approve Variance Request No. 68 for Jerry Rutt. Motion carried. Roll Call – 7 Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 3 Bill Bose, Matt Harrison, Brian Holtze. Absent - 1 Terry Hoit.

Kristi Coe presented the Roy Fuchs Variance Request.

Motion #4 by Clark Andrews seconded by Brad Wulf to approve Variance Request No. 69 for Roy Fuchs. Motion carried. Roll Call – 10 Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays – 0. Absent - 1 Terry Hoit.

Kristi Coe presented Bruce A. Lans Change in Location of Certified Acres on Contiguous Property.

Motion #5 by Marlin Murdoch seconded by Jim Moore to approve Bruce A. Lans Change in Location of Certified Acres on Contiguous Property. Motion carried. Roll Call – 10 Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays – 0. Absent - 1 Terry Hoit.

Kristi Coe presented Jerry Rutt's Change in Location of Certified Acres on Contiguous Property

Motion #6 by Brad Wulf seconded by Jim Moore to approve Jerry Rutt's Change in Location of Certified Acres on Contiguous Property. Motion carried. Roll Call – 10 Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays – 0. Absent - 1 Terry Hoit.

Kristi Coe presented Rex Woollen's Change in Location of Certified Acres on Contiguous Property.

Motion #7 by Marlin Murdoch seconded by Roger Nelson to approve Rex Woollen's Change in Location of Certified Acres on Contiguous Property. Motion carried. Roll Call – 10 Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze. Nays – 0. Absent - 1 Terry Hoit.

Kristi Coe presented Matt Schultz's Change in Location of Certified Acres on Contiguous Property.

Motion #8 Bill Bose seconded by Marlin Murdoch to approve Matt Schultz's Change in Location of Certified Acres on Contiguous Property. Motion carried. Roll Call – 10 Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore. Nays – 0. Absent - 1 Terry Hoit.

There was no Rural Water update.

Motion #9 by Bill Bose seconded by Brian Holtze to accept the Rural Water treasurer's report as presented. Motion carried. Roll Call – 10 Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch. Nays – 0. Absent - 1 Terry Hoit.

Mike Clements gave the NARD update. A copy of the NARD Bill Summary is in the minute book.

Mike Clement presented the final copy of the Agricultural Water Enhancement Program (AWEP). It was mailed in for approval on April 1st.

Mike Clements briefly discussed the Groundwater Rules and Regulations and IMP. Brad Edgerton talked about surface and groundwater acres.

Mike Clements discussed the Memorandum of Agreement with Riverside Irrigation Company, Inc and the Republican River Basin Coalition. Riverside wants to sell 2,000 acre feet of natural flows for a total purchase price of \$140,000. The agreement would include Middle, Upper and Lower Republican NRD's. The LRNRD share would be 26% of the \$140,000 for the purchase price.

Motion #10 by Bill Bose seconded by Jim Moore to table signing the agreement between the Republican River Basin Coalition and the Riverside Irrigation Company until the May board meeting. Motion carried.

Roll Call – 10 Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson. Nays – 0. Absent - 1 Terry Hoit.

The Executive Committee met and discussed the surface water proposal.

There was no Groundwater Management Area report.

There was no Groundwater Management Committee report.

Applications for a Permit to Construct a Well were approved.

There were no RC&D reports.

There were no Board of Educational Lands and Funds Leases.

There were no Wild NE Applications.

Motion #11 by Bill Bose seconded by Brian Holtze to approve the Cost Share Time Extensions as presented. Motion carried.

Roll Call – 10 Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly. Nays – 0. Absent - 1 Terry Hoit.

H582

Anna Patricia Kinnear

June 30, 2009

Roger Nelson discussed with the board starting the board meetings at 7 p.m. during daylight savings time. It was agreed to start the meetings at 7 p.m. even if there is a public hearing.

Motion #12 by Marlin Murdoch seconded by Roger Nelson to go into Executive Session at 8:28 p.m. to discuss personnel and possible Litigation for Rules Violations. Motion carried.

Roll Call – 10 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf,. Nays – 0. Absent - 1 Terry Hoit.

Motion #13 Clark Andrews seconded by Brad Wulf to come out of executive session at 9:30 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried.

Roll Call – 10 Dave Bartels, Bill Bose, Matt Harrison, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews. Nays – 0. Absent - 1 Terry Hoit.

The next regularly scheduled board meeting will be May 14th at 7 p.m.

Chairperson Nelson Trambly adjourned the meeting at 9:30 p.m.

Secretary

Date