

**MINUTES**  
**LOWER REPUBLICAN NATURAL RESOURCES DISTRICT**  
*Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE*  
May 12, 2016 at 7 pm

**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.lmrnd.org](http://www.lmrnd.org).

**Informational Material Mailed out Prior to the Meeting**

1. Agenda, 5/16
2. Minutes, Variance Minutes, Index of Decision, 4/16
3. LRNRD/RWP Treasurer's Report, 4/16
4. NRCS and Staff Reports
5. Open Meetings Act Notice Requirements
6. NRCS Proposal to Raise the NSWCP Dollar Limit

**Materials Handed out at the Meeting:**

1. Agenda, 5/16
2. University Provided Service Agreement – Weather Station by Red Cloud
3. Draft – 2016 LRNRD Static Water Levels Changes

Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order at 7:24 p.m. Marlin Murdoch 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, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: Terry Hoit, Tim Kahrs.

Others present: Jerry Kovarik, NRCS, Charlie Brooks, TBNRD, Andy Raun, Hastings Tribune, Troy Fletcher, Oxford, Jeff Ironshell, Sargent Irrigation, Holdrege, Randy Breinig, Arapahoe. Staff present: Mike Clements, Scott Dicke, Shirlee Poyser, and Kristen Heft.

**Motion #1 by Nelson Trambly seconded by Bill Bose to approve the board minutes, variance minutes from the April board meeting. Motion carried.** Ayes 9, Nays 0, Absent 2.

**Motion #2 by Roger Nelson seconded by Matt Harrison to approve the LRNRD/RWP Treasurer's Report as presented. Motion carried.** Ayes 9, Nays 0, Absent 2.

Jerry Kovarik reported that there was no change in the 2016 EQIP funds and the Regional Conservation Partnership Program (RCPP). CStwP deadline was May 13<sup>th</sup>.

Mike Clements gave the Manager's report. As of May 1st, NCORPE pumped 30,184 AF for the 2016 Compact Compliance. They are gradually shutting down wells and should be done by May 20. Trailblazer RC&D was approved for a DEQ Tire Recycling Grant. It will be held in Blue Hill on August 5<sup>th</sup>; the Hildreth Fire Hall on August 8<sup>th</sup>; in Alma, August 9<sup>th</sup>. Collection times are from 8-12. Mike spoke to the National Crop Insurance Association on May 11<sup>th</sup> in Grand Island.

Scott Dicke's Assistant Manager's report informed the board on the *Platte River Diversion Project, Water quantity and Water quality updates*:

**Platte River Diversion Project update:**

- Turkey Creek Component – The Platte River Diversion Interlocal selected Olsson Associates proposal based on qualifications. Work will commence this month after reviewing contract agreements with Olsson.
- CNPPID/Water Services Agreement – The draft agreement is still in the review process that details the PRDP operation agreement with CNPPID. We are hopeful that it can be finalized in May.

**Water quantity updates:**

- Harlan County Reservoir – has risen 2 feet this last month. BOR releases from Harry Strunk have stopped and N-CORPE is in the process of shutting down, thus average flows will likely decrease pending any new rainfall events. The BOR numbers indicate that Harlan is storing nearly 46,198 acre feet more than it was at this time last year.
- Groundwater measurements are completed for this year and the data will be analyzed in the coming months to evaluate groundwater elevation changes.

**Water quality updates:**

- The SPA upgrades will begin this month to test out a portable pump and poly tubing.
- Chemigation have increased again this year with nearly 1,000 renewals and 50 new permits.

Scott Dicke announced that the Platte River Diversion Interlocal selected Olsson Associates proposal based on qualifications. The contract was reviewed with the Project Committee and it is recommended that we approve Olsson and the contract of \$237,116.00 to begin work. Work will commence this month after reviewing contract agreements with Olsson.

**Motion #3 by Toby tenBensel seconded by Nelson Trambly to select Olsson Associates as the engineering firm for the Platte Republican Diversion Project. Motion carried.** Ayes 9, Nays 0, Absent 2.

Attorney Blake Johnson was asked whether the Nebraska Open Meetings Act, requires notice by newspaper publication for all meetings, including regularly-scheduled Board meetings. Attached to the minutes is a memo with the detailed information.

**Motion #4 by Brad Wulf seconded by Dave Bartels move that the LRNRD official notification of future meetings including Board Meetings be through the LRNRD website at www.lrnrd.org and not the newspaper. The first Board Meeting to be noticed by this motion will be Thursday, August 11, 2016. This motion does not include public hearings. Motion carried.** Ayes 7, Nays 2 - Clark Andrews, Bill Bose. Absent 2.

Jerry Kovarik explained the LRNRD NSWCP Funding Process and the necessity to increase the funding from \$3,500 to \$5,000. LRNRD NSWCP Funding Process is attached to the minutes.

**Motion #5 by Bill Bose seconded by Roger Nelson to increase the NSWCP Funding cap for \$3,500 to \$5,000 per year. Motion carried.** Ayes 9, Nays 0, Absent 2.

Project Committee met in April. Jim Schneider from Olsson Associates has been asked to attend the June board meeting and discuss planning long and short term projects that will assist the LRNRD with compliance issues and projects.

Kern Porters meter was inspected at McCrometer and no discrepancies were found within the meter. Porter's allocation report shows an over use of -34.87 for this allocation period on 22.5 acres. The board decided to set another hearing date.

**Motion #6 by Toby tenBensel seconded by Clark Andrews to set the Cease and Desist Hearing Date for Kern Porter to June 9, 2016 at 7 pm. Motion carried.** Ayes 9, Nays 0, Absent 2.

A permit application to construct a replacement well was submitted for well G-070410. However, Mr. Anderson indicated to the LRNRD that the permit had the incorrect registration number and that it should actually be G-015526, a correction was made and resubmitted back to DNR. The Permit to Construct a well was approved in April, 2016 for well G-015526 by the LRNRD, DNR registered the replacement well as G-015526\_1. Records reviewed indicated that well # G-015626 was made inactive in 2003 on a form by Randy Breinig. Current records indicate that the well is still shown as inactive. G-070410 & G-015526 wells are certified to the same 92 acres. G-070410 is metered and shows all usage. G-015526 has shown no usage going back as far as 2005.

According to the LRNRD Application for a Permit to Construct a Well and LRNRD Rules and Regulations 4-1.50, a replacement water well delivers water to the same tract of land served by the original water well and has to replace a decommissioned water well within one hundred eighty (180) days after the decommissioning of the original water well.

Rick from Sargent Well Service contacted the LRNRD office about decommissioning a well (G-015526) for WCG, LLC, Jason Anderson. Sargent was unable to locate well G-015526 for decommissioning. Anderson indicated that the well was filled in by the previous owner, Mr. Breinig. Kristi looked up the original well registration to see if it had footages listed as to where the well was located, then informed Sargent to help them locate it for proper decommissioning, however, Sargent was not able to find the well.

Mr. Breinig indicated that his family had filled in the well (G-015526) more or less twenty years ago. Well G-015526 has not been decommissioned but and is currently listed as inactive by the DNR, thus the proposed replacement well exceeded the 180-day decommissioning timeframe. As a result, this well does not qualify as a replacement well and will receive a new DNR well registration number.

Anderson's and Breinig indicated that they would try to locate the well. If located, Sargent irrigation would properly decommission the well and file the necessary paperwork as required by the DNR.

**Motion #7 by Bill Bose seconded by Clark Andrews to approve Variance Request #248 for WCG Land & Cattle, Jason Anderson, with a new registration number. Motion carried.** Ayes 9, Nays 0, Absent 2.

Variance Request #249 for Kurt Knutson was presented to the board.

**Motion #8 by Clark Andrews seconded by Toby tenBensel to approve Variance Request #249 for Kurt Knutson. Motion carried.** Ayes 9 Nays 0, Absent 2.

NCORPE has 235,000AF in Harlan. To get out of a water short year we to be at 270,000AF. NCORPE members decided to pump well through the end of May to get an extra 4,000AF.

The LRNRD received a letter from the Nebraska State Climate Office. There is a need to update the Services Agreement and the MOU with the landowner. Attached is a copy of the signed agreements. This equipment is located at the Red Cloud, Nebraska, Mesonet Station. Owner of the property is John Greer of Edgar, NE

**Motion #9 by Brad Wulf seconded by Roger Nelson to approve the University Provided Services Agreement and Memo of Understanding between UNL, the LRNRD and the Landowner. This equipment is located at the Red Cloud, Nebraska, Mesonet Station at the cost of \$2,000 for FY2016 and \$2,600 from FY2017-2020. Motion carried.** Ayes 8 Nays 1 – Bill Bose. Absent 2.

There were no comments from the public.

The meeting was adjourned at 8:40PM.

The next regularly scheduled board meeting will be June 9<sup>th</sup>, 2016 starting at 7:00PM.

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Secretary

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Date