

**MINUTES**  
**LOWER REPUBLICAN NATURAL RESOURCES DISTRICT**  
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE  
October 12<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).

Chairperson, Marlin Murdoch, called the meeting of the Lower Republican NRD Board of Directors to order at 7:10 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 Open Meetings Act.

Directors present: Clark Andrews, Dave Bartels, Matt Harrison, Marlin Murdoch, Roger Nelson, Toby tenBensel, Brad Wulf.

Absent: Bill Bose, Terry Hoit, Tim Kahrs, Nelson Trambly.

Others present: Jerry Kovarik, NRCS, John Thorburn, TBNRD, Jack Russell, MRNRD, Randy Robinson, North Platte, Ken Anderson, North Platte. Staff present: Todd Siel, Scott Dicke, Shirlee Poyser and Kristi Heft.

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

1. Agenda
2. LRNRD Board Meeting, Index of Decisions, 9/17
3. LRNRD/RWP Treasurer's Report, 9/17
4. Staff Report
5. FY2018 Prices for LRNRD Resales Stock & Customer Charges
6. Variance Request – Darrell Nelson/Winchester LLC, #265
7. NCORPE Information from Jack Russell

Comments from the public: Randy Robinson, of North Platte, on behalf of Landowner's for a Common Purpose. They would like the surface land of NCORPE put up for sale. Randy spoke to the board and asked to be placed on next month's agenda.

**Motion #1 by Roger Nelson seconded by Dave Bartels to approve the board minutes. Motion carried. 7 Ayes, 0 Nays. Absent 4.**

**Motion #2 by Matt Harrison seconded by Roger Nelson to approve the LRNRD and RWP Treasurer's Report as presented. Motion carried. 7 Ayes, 0 Nays. Absent 4.**

Jerry Kovarik gave the NRCS report. NRCS is working on, end of the year paperwork, performance reviews, finishing up CSP renewals, EQIP deadline is November 17<sup>th</sup>, RCPP deadline December 15<sup>th</sup>.

Staff reported on the Three State meeting, the Platte Republican Diversion project (PRD), and NCORPE, Harlan Count Reservoir and Annual Conference. A detailed copy of this report is in the minute book.

LRNRD Attorney's requested the LRNRD board rescind the Groundwater Rules and Regulation motion made at the September 14<sup>th</sup> meeting, and adopt the new motion.

**Motion #3 by Toby tenBensel seconded by Dave Bartels to rescind the motion made at the September 14th meeting regarding approval of the Groundwater Rules and Regulations for the years 2018-2022. Motion carried. Motion Carried. 7 Ayes, 0 Nays. Absent -4.**

**Motion #4 by Clark Andrews seconded by Brad Wulf to adopt the revised Rules and Regulations as proposed at the September 14th public hearing, to go in effect on January 1<sup>st</sup>, 2018. Motion carried. 7 Ayes, 0 Nays. Absent 4.**

Assistant Manager, Scott Dicke, said there were no rate changes to the LRNRD Resale Stock and Customer charges.

Marlin Murdoch dismissed himself as the board discussed Variance Request #265.

Variance Request #265 was present to the board by LRNRD Treasurer, Dave Bartels.

**Motion #5 by Clark Andrews seconded by Brad Wulf to approve Variance Request #265 for Darrell Nelson/Winchester LLC. Motion carried. 6 Ayes, 0 Nays, 1 Abstained – Marlin Murdoch. Absent 4.**

Marlin Murdoch returned to the meeting.

**NCORPE** – A board meeting was held in Curtis on September 27<sup>th</sup> with Nelson Trambly, Scott Dicke, and Todd Siel attending. Notable topics: 1. Financial statements for FY 2017 were presented and an accounting audit update provided; and 2. Adoption of new written policies to provide NCORPE Manager, Kyle Shepherd, with a clear statement of the board's position regarding current issues. Two of the more pressing items are: A) selling NCORPE lands, and B) LB218 (legislation related to the issue of selling). The Board adopted a policy position that is; not in support of selling any of the land at this time, due to common law principles linking land ownership to the ability to access the underlying groundwater and the current absence of clear legal separation between the two (along with several other reasons). An editorial was run in the Kearney Hub and the North Platte Telegraph on Monday, October 2<sup>nd</sup> which outlined the reasoning for NCORPE's position on this matter.

The Middle Republican Board of Directors represented by Jack Russell presented new rules and regulations that cap the use of water pumped over a 10-year period. The Middle Republican is working with Twin Platte to establish a pumping limit of 160,000 acre feet over a ten year period. The cap will limit the Lower Republican to 40,000 acre feet pumping use over a 10 year period starting January 1<sup>st</sup>, 2018. Handouts were provided with the proposed language.

Scott Dicke added that NCORPE contracted out with UNL to do an intense full economic study of the value of NCORPE and how that relates to our entire basin. The real value of NCORPE is the percentage used to offset compact compliance. This study is in draft form, pending any comments, it should be done this month.

Dave Bartels mentioned that the City of Franklin is possibly proposing a water rate increase.

**Motion #6 by Clark Andrews seconded by Toby tenBensel to move that the Board go into Executive session at 8:00 p.m. to discuss contractual negotiations with John Thorburn also present. Motion carried. Chairman admonished the board that this is the only subject that can be discussed in closed session. Motion carried. 7 Ayes, 0 Nays. Absent 4.**

**Motion #8 by Matt Harrison seconded by Toby tenBensel to move that the Board 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. 7 Ayes, 0 Nays. Absent 4.**

The next regularly scheduled board meeting will be November 9<sup>th</sup> at 2 p.m.

The meeting was adjourned at 9:30 pm.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

DRAFT