



LOWER REPUBLICAN NRD – BOARD MEETING MINUTES

Lower Republican NRD Meeting Room,
30 North John, Alma, NE
June 8th, 2023, at 7:00pm

BOARD OF DIRECTORS MEETING:

Meeting notices were published in the Harlan County Journal and on the District Website at www.lnrnd.org. Vice Chairperson David Bartels called the meeting of the Lower Republican NRD Board of Directors to order at 7:00pm. Director Troy Fletcher opened the meeting with prayer. The vice chair provided notice that the location of the current copy of the statute dealing with public meetings laws is located on the south wall. Guests were asked to sign the attendance roster.

Excused Absences: Marlin Murdoch.

Directors present: Clark Andrews, David Bartels, Don Duffy, Lee Fintel, Troy Fletcher, Matt Harrison, Tim Kahrs, Toby tenBensel, Nelson Trambly, Brad Wulf.

Others present: none.

Staff present: Todd Siel, Nick Simonson, Shirlee Poyser.

MATERIAL E-MAILED OUT PRIOR TO THE MEETING & AVAILABLE AT THE MEETING

Agenda

LRNRD Board Meeting Minutes, 5/23

LRNRD/RWP Treasurer's Report, 5/23

LRNRD/NRCS Staff Report, 6/23

Comments from the public: None

Motion #1 by Brad Wulf seconded by Toby tenBensel to approve the May minutes as presented. Motion carried. Ayes 10 Nays 0, Absent 1.

Motion #2 by Tim Kahrs seconded by Brad Wulf to approve the LRNRD and Rural Water Treasurer's reports for May. Motion carried. Ayes 10 Nays 0, Absent 1.

NRCS Staff Report: Shaina Vincent, Acting DC, emailed out the NRCS staff report prior to the meeting. A copy of this report is in the minute book.

LRNRD Staff Report: Managers Todd Siel and Nick Simonson gave the NRD staff report. Tree planting season was completed on May 18th. PRD legal appeals will be heard by the Supreme Court in August. The NRD will be selling the 2018 pickup and the woodchipper at the Adam Marshall Land and Auction sale on June 27th.

Change in Location of Certified Acres on Contiguous Property – Staff Committee Approvals:

Simonson has two (2) different acres trades that will be approved at a later date.

Simonson discussed NSWCP Priority ranking - 1) Water Conservation & Water Quality, 2) Range, 3) Erosion. It was agreed to keep the ranking the same.

Longitude 103: Simonson presented information on Longitude 103, a company that develops software for NRD's to store data and information such as flow meter and chemigation data. This new application would allow producers to access their chemigation and water allocation information through the program.

Rural Water Update: The insurance adjuster assessed the damage to the building, pumphouse, and water tower. The total was approximately \$45,500 for all 3 items.

Republican River Compact Administration: Siel and Simonson participated in a recent meeting with NeDNR and other Republican River basin NRDs regarding compact compliance and possible management actions, since we are in a compact call year in 2023. Simonson explained how the recent rainfall and increased inflows for area reservoirs has affected accounting. Harlan County Lake gained about 17,000 acre-feet in storage over the past month. It will be determined at the end of June if we are still in water short year administration.

Platte to Republican High Flow Diversion Project (PRD) Update: The Nebraska Supreme Court hearing will be held on August 29th.

Flag Creek Update: Both augmentation wells have been drilled and will be developed soon. Twin Valleys Public Power District will bring in the 3-phase line to get the wells totally operational. Reimbursement requests were submitted to NeDNR. We will be working with Olsson on the next steps, and we will need to complete the full pump tests.

NCORPE Update: The Attorney General released their opinion on LB396. The common law is the ability to use groundwater has always been tied to ownership of the overlying land and so would not allow NCORPE or other similarly situated augmentation projects to sell the land and retain the ability to pump groundwater as if they still own the land. The legislature has the authority to abrogate the common law by statute but must do so with clear and express language. The Attorney General's Office concluded that the language in LB396 is not sufficiently clear enough to abrogate the common law in this matter.

Watershed & Flood Prevention Operations Environmental Assessment Plan and Design (WFPO EA Plan): No update.

WaterSMART Grant: Work was completed with the Bureau to make sure all the new grant requirements were met and passed the BABA hurdle. Request for Bids was released for both the meters and the installation. McCrometer submitted the only bid to provide the meters and a team to configure and install the meters.

NARD Update: Central Platte Basin Tour is June 12th & 13th.

Motion #3 by Clark Andrews seconded by Tim Kahrs to move that the Board go into Closed Session at 8:21pm to discuss Contractual Negotiations and Imminent Litigation and Personnel. Motion carried. Ayes 10 Nays 0, Absent 1.

Motion #4 by Clark Andrews seconded by Toby tenBensel to move that the Board come out of Closed Session at 8:39pm and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 10 Nays 0, Absent 1.

Motion #5 by Tim Kahrs seconded by Brad Wulf to approve FY2024 salaries as presented. Motion carried. Ayes 10 Nays 0, Absent 1.

Motion #6 by Tim Kahrs seconded by Clark Andrews to accept the resignation of director Nelson Trambly from LRNRD Subdistrict 4. Motion carried. Ayes 10 Nays 0, Absent 1.

The next regularly scheduled board meeting will be July 13th, 2023, at 7:00pm.

The meeting adjourned at 9:10pm.

Secretary

Date