

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, April 8, 2014, 7:30 p.m.**  
**Tri-Basin NRD**

**CALL TO ORDER**

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Chairman David Nickel, at 7:48 p.m. Nickel noted Public Meeting Law is posted in the boardroom. A Public hearing was opened prior to this meeting to explain plans for construction of the Sand Creek Recharge Dam.

**ROLL CALL**

Roll call was taken with thirteen directors present: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz. Notice of the meeting was published in the Holdrege Citizen, Bertrand Herald, Elwood Bulletin and the Minden Courier and announced over radio stations KRVN, Lexington and KUVR, Holdrege.

**EXCUSE ABSENCES**

There were no absences to excuse.

**MINUTES**

Thorburn presented the minutes of the March 11, 2014 Board Meeting and Special Board of Directors Meeting.

Moved by Raffety, seconded by Bilka, to approve the minutes for the March 11, 2014 Regular Board of Directors Meeting. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: Winz

ABSENT: None

**FINANCIAL REPORT**

Garrelts presented the financial report for the month of March 2014 as follows:

Accrual Expenditures for Month -----	\$69,084.14
Cash Expenditures for Month-----	\$70,289.99
Accrual Revenues for Month-----	\$57,320.07
Cash Revenues for Month-----	\$139,916.34
Bank Balance—March 31, 2014-----	\$383,641.91
Accounts Receivable – March 31, 2014-----	\$15,374.95
Investments – Pinnacle Bank – March 31, 2014-----	\$609,962.53
Whiskey Slough IPA Balance – March 31, 2014-----	\$19,145.19
Fort Kearny-West IPA Balance – March 31, 2014-----	\$8,416.70
South Dry Creek IPA Balance – March 31, 2014-----	\$9,743.72
Fort Kearny IPA Balance – March 31, 2014-----	\$11,751.62
North Dry Creek IPA Balance – March 31, 2014-----	\$16,345.17
Sacramento Creek IPA Balance – March 31, 2014-----	\$23,036.20
Water Jamboree – March 31, 2014-----	\$5,803.83
NR MDMA – March 31, 2014-----	\$7,654.20

Moved by Olsen, seconded by Johnson, to accept the March 2014 financial reports and file for audit. Motion carried.

TRI-BASIN NRD BOARD MINUTES

April 8, 2014

Page Two

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**SPECIAL BILLS**

Thorburn presented the VISA bills for approval. Moved by Johnson, seconded by Lundeen to approve the visa bills. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**NRCS REPORT**

**FSA Farm Plans:** Breece presented two farm plans for approval for Kent Taubenheim and Randy Helms. Moved by Garrelts, seconded by Bilka to approve farm plans for Kent Taubenheim and Randy Helms. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: Harris, Johnson and Winz

ABSTAIN: None

ABSENT: None

**Activity and Progress Report:** Breece reported staff has been busy conservation stewardship program and EQIP program. Put in contract numbers. CSP 84 contracts.

**COST SHARE REPORT**

**Well Abandonment** – Thorburn presented sixteen Well Decommissioning Cost-Share applications. Moved by Winz, seconded by Bergstrom to approve Well Decommissioning Cost-share applications #96 to #111. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**NSWCP & NRD Applications** – Thorburn presented ten NSWCP cost-share applications and eleven TBNRD Cost-share applications for approval. Moved by Nelson, seconded by Larson to approve ten NSWCP Cost-share applications and eleven TBNRD cost-share applications. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

### **GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – Thorburn presented five groundwater transfer requests (DT Nielsen Family Farms, Faye D. Anderson (3) and Larry Lorentzen), four irrigated acre transfer requests (Eric Maaske, Stewart Anderson, Walker Enterprises and Charles Tomsen) and one request for a well variance for Joel Schutz. Steve Anderson, Joel Schutz and Andy Tomsen were present to answer questions.

Moved by Nelson, seconded by Lundeen to approve groundwater transfer requests for DT Nielsen Family Farms, Faye D. Anderson (3) and Larry Lorentzen, irrigated acre transfer requests for Eric Maaske, Stewart Anderson, Walker Enterprises and Charles Tomsen and well variance for Eric Maaske. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**Educational Land Leases** – There were no educational land leases to approve.

### **OTHER BUSINESS**

The public was given the opportunity to bring other specific business or non-agenda items before the board for comment and/or discussion.

### **UNFINISHED BUSINESS**

**CNPPID Groundwater Mound Study – Cory Steinke:** Steinke explained CNPPID hired EA Engineering to do groundwater mound study to understand how the mound works using data and wells. Steinke stated that reduction in ET or crop use has a larger effect on the mound than reduction of diversions. The study indicated the mound is no longer increasing and might be at a tipping point.

**Change Nitrogen Certification Card Requirement:** Thorburn explained TBNRD has had groundwater quality management since 1989. Producers attend education to renew certification. Nitrogen cards have no purpose except to show the expiration date. Thorburn proposed discontinuing cards and notifying landowners when renewal is required. A card will be issued to a producer if requested. Moved by Reynolds, seconded by Winz to discontinue use of nitrogen management cards. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**Engineering Study of Odessa IPA – Luke Dutcher, Miller & Associates:** Luke Dutcher presented engineering study information on Odessa IPA showing suggested culvert sizes and drainage patterns. Thorburn presented information on the proposed cost of the project. The total cost is estimated \$75,376 (including engineering costs) plus interest of \$6,898. Resulting in a cost of \$5.66/acre or \$16.98/irrigated acre per year. Lee Wells expressed concern about changing the natural drainage to the north. Keith Stafford asked about culvert size concerning two and five year rain events. Garrelts asked that a postcard be sent to landowners informing them of updated costs and ask if they still favor the project.

TRI-BASIN NRD BOARD MINUTES

April 8, 2014

Page Four

Moved by Garrelts, seconded by Nelson to send a voting card to Odessa IPA landowners with a comment section, updated project costs and a return date of June 1, 2014. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**Consider Ordering Appraisals for Kuehn and Agee Properties:** Thorburn explained that TBNRD gets appraisals to facilitate negotiations. Appraisals do not lock in a price. If agreement isn't reached, TBNRD and landowners can individually choose an appraiser and a third appraiser, approved by both parties, is also chosen. If negotiations fail, eminent domain could be used.

Reynolds expressed concern about the cost of the project without having secured funding. Nelson commented that Kearney County landowners should receive some benefit from NRD tax dollars. There was discussion about changes to the 404 permitting process and how potential over-appropriated status of the Little Blue Basin could affect the project.

Moved by Bergstrom, seconded by Olsen to get appraisals on the Kuehn and Agee properties for the Sand Creek Recharge Reservoir Project. Motion carried.

AYE: Bergstrom, Bilka, Harris, Johnson, Larson, Nelson, Nickel, Olsen, Reynolds and Winz

NAY: Garrelts, Lundeen and Raffety

ABSTAIN: None

ABSENT: None

**Review and Approve 2014 IPA Assessments:** Thorburn presented the 2014 Proposed IPA assessments, including the Odessa IPA assessment (\$5.66). Moved by Garrelts, seconded by Johnson to approve the 2014 IPA assessments, excluding Odessa IPA: FK - \$0.00, FKW - \$.15, NDC - \$.05, SAC - \$0.00, SDC - \$.15, WS - \$0.00. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

**NARD REPORT**

**NARD Washington D.C. Trip – Ray Winz:** Winz reported on his recent trip to the Washington D.C. NARD Conference.

**COMMITTEE REPORTS**

**Executive Committee:** The Executive Committee will meet, when weather allows, to discuss participation in the LBNRD WQ Study and a DU Conservation easement.

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** There was nothing to report.

**Out-of-State Travel:** There was no out-of-state travel to approve.

**MONTHLY REPORTS**

**Republican Basin (NRRMD):** LB1098 is being discussed in legislature.

**Platte Basin:** Nothing to report.

**South Dry Creek:** Nothing to report.

**Sacramento Creek:** Nothing to report.

**Middle Lost Creek:** Nothing to report.

**Fort Kearny West:** Nothing to report.

**Fort Kearny:** Nothing to report.

**North Dry Creek:** Nothing to report.

**Whiskey Slough:** Nothing to report.

**Odessa IPA:** This item was discussed earlier.

**Lake Seldom:** Committee met with Nature Conservancy and RBJV to consider a cropland exception to allow maintenance.

**CoHyst/Platte Basin Coalition:** CoHyst land use data through 2010 is available.

**Sand Creek/Little Blue Basin:** This item was discussed earlier.

**CNPPID:** Steinke reported on expected levels of Platte River and Lake McConaughay.

**NEW BUSINESS**

**Reschedule June Board Meeting:** Moved by Nelson, seconded by Johnson to change the June Board Meeting date to June 17, 2014 at 7:30 p.m. Motion carried.

**AYE:** Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

**NAY:** None

**ABSTAIN:** None

**ABSENT:** None

**PERSONNEL & LEGAL MATTERS**

Moved by Garrelts, seconded by Olsen to move to executive session for the protection of the public to discuss property negotiations at 9:57 p.m. Motion carried.

**AYE:** Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

**NAY:** None

**ABSTAIN:** None

**ABSENT:** None

Moved by Garrelts, seconded by Bergstrom to move out of executive session for the protection of the public to discuss property negotiations at 10:28 p.m. Motion carried.

TRI-BASIN NRD BOARD MINUTES  
April 8, 2014  
Page Six

AYE: Bergstrom, Bilka, Garrelts, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

#### **COMMENTS AND CONCERNS**

There were no comments or concerns.

#### **NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held 7:30 p.m., on Tuesday, May 13, 2014 at Tri-Basin NRD, Holdrege, NE

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:28 p.m.

#### **DIRECTORS PRESENT**

Brian Bergstrom, Joe Bilka, Todd Garrelts, Ed Harris, Phyllis Johnson, Joe Larson, Brad Lundeen, David Nelson, David Nickel, David Olsen, Dave Raffety, Larry Reynolds and Ray Winz.

Carie Lynch, John Thorburn, Nicole Salisbury, Kevin Breece, Cory Steinke, Andy Tomsen, Steve Anderson, Nolan Little, Charles Brooks, Robert Garrett, Brian Petersen, Joel Schutz, Wayne Anderson, Roy Nelson, Luke Dutcher, Keith Stafford, Lori Potter, Rex Marquardt, Kelley Ayers, John L. Kuehn, John M. Kuehn, Vernon Hueftle, Eric Maaske, Steven Johnson, Harold Smith and Lee Wells.

Respectfully Submitted:

---

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
 April 8, 2014

ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2014-04-08-01	Meeting Administration		12		1	<u>Moved by Raffety, seconded by Bilka, to approve the minutes for the March 11, 2014 Regular Board of Directors Meeting. Motion carried.</u>
	2014-04-08-02	Meeting Administration		13			<u>Moved by Olsen, seconded by Johnson, to accept the March 2014 financial reports and file for audit. Motion carried.</u>
	2014-04-08-03	Budget		13			<u>Moved by Johnson, seconded by Lundeen to approve the visa bills. Motion carried.</u>
	2014-04-08-04	Meeting Administration		10		3	<u>Moved by Garrelts, seconded by Bilka to approve farm plans for Kent Taubenheim and Randy Helms. Motion carried.</u>
	2014-04-08-05	Meeting Administration		13			<u>Moved by Winz, seconded by Bergstrom to approve Well Decommissioning Cost-share applications #96 to #111. Motion carried.</u>
	2014-04-08-06	Meeting Administration		13			<u>Moved by Nelson, seconded by Larson to approve ten NSWCP Cost-share applications and eleven TBNRD cost-share applications. Motion carried.</u>
	2014-04-08-07	Certifications & Transfers	Nielsen, Anderson, Lorentzen, Maaske, Anderson Walker Enterprises, Tomsen	13			<u>Moved by Nelson, seconded by Lundeen to approve groundwater transfer requests for DT Nielsen Family Farms, Faye D. Anderson (3) and Larry Lorentzen, irrigated acre transfer requests for Eric Maaske, Stewart Anderson, Walker Enterprises and Charles Tomsen and well variance for Eric Maaske. Motion carried.</u>
	2014-04-08-08	District Plans & Programs	Nitrogen Cards	13			<u>Moved by Reynolds, seconded by Winz to discontinue use of nitrogen management cards. Motion carried.</u>
	2014-04-08-09	Projects	Odessa IPA	13			<u>Moved by Garrelts, seconded by Nelson to send a voting card to Odessa IPA landowners with a comment section, updated project</u>

							<u>costs and a return date of June 1, 2014. Motion carried.</u>
2014-04-08-10	Projects	Sand Creek	10		3		<u>Moved by Bergstrom, seconded by Olsen to get appraisals on the Kuehn and Agee properties for the Sand Creek Recharge Reservoir Project. Motion carried.</u>
2014-04-08-11	Projects	IPA Assessments	13				<u>Moved by Garrelts, seconded by Johnson to approve the 2014 IPA assessments, excluding Odessa IPA: FK - \$0.00, FKW - \$.15, NDC - \$.05, SAC - \$0.00, SDC - \$.15, WS - \$0.00. Motion carried.</u>
2014-04-08-12	Meeting Administration		13				<u>Moved by Nelson, seconded by Johnson to change the June Board Meeting date to June 17, 2014 at 7:30 p.m. Motion carried.</u>
2014-04-08-13	Meeting Administration		13				<u>Moved by Garrelts, seconded by Olsen to move to executive session for the protection of the public to discuss property negotiations at 9:57 p.m. Motion carried.</u>
2014-04-08-14	Meeting Administration		13				<u>Moved by Garrelts, seconded by Bergstrom to move out of executive session for the protection of the public to discuss property negotiations at 10:28 p.m. Motion carried.</u>