

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, May 14, 2013, 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 7:42 p.m. Nickel noted Public Meeting Law is posted in the boardroom. A Hearing to consider the proposed Odessa IPA was opened prior to this meeting.

**ROLL CALL**

Roll call was taken with nine directors present: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz. Bergstrom, Harris, Larson and Nelson were absent. 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 April 9, 2013 Special and Regular Board of Director's Meeting and April 12, 2013 Planning Committee Meeting.

Moved by Johnson, seconded by Winz, to approve the minutes for the April 9, 2013 Regular Board of Directors Meeting. Motion carried.

AYE: Bilka, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Garrelts

ABSENT: Bergstrom, Harris, Larson and Nelson

Moved by Olsen, seconded by Lundeen, to approve the minutes for the April 9, 2013 Special Board of Directors Meeting. Motion carried.

AYE: Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Garrelts and Bilka

ABSENT: Bergstrom, Harris, Larson and Nelson

Moved by Johnson, seconded by Winz, to approve the minutes for the April 12, 2013 Planning Committee Meeting. Motion carried unanimously.

**FINANCIAL REPORT**

Thorburn presented the financial report for the month of April 2013 as follows:

Accrual Expenditures for Month -----	\$79,335.41
Cash Expenditures for Month-----	\$80,340.16
Accrual Revenues for Month-----	\$50,459.19
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Cash Revenues for Month-----	\$49,853.20
Bank Balance-April 30, 2013-----	\$195,232.79
Accounts Receivable – April 30, 2013-----	\$2,244.37
Investments – Pinnacle Bank – April 30, 2013-----	\$1,003,528.16
Whiskey Slough IPA Balance – April 30, 2013-----	\$18,563.05
Fort Kearny-West IPA Balance – April 30, 2013-----	\$7,259.41
South Dry Creek IPA Balance – April 30, 2013-----	\$9,691.31

Fort Kearny IPA Balance – April 30, 2013-----	\$11,991.21
North Dry Creek IPA Balance – April 30, 2013-----	\$16,51.38
Sacramento Creek IPA Balance – April 30, 2013-----	\$23,921.41

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Moved by Raffety, seconded by Bilka, to accept the April 2013 financial reports and file for audit.

Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

**SPECIAL BILLS**

Thorburn presented the VISA and attorney bills for approval. Moved by Garrelts, seconded by Winz to approve the VISA and attorney bills. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

**NRCS REPORT**

**FSA Farm Plans:** Breece presented two farm plans for approval: Vernon Hueftle and Knoerzer Farms, Inc. Moved by Lundeen, seconded by Bilka to approve farm plans for Knoerzer Farms, Inc. and Vernon Hueftle. Motion carried.

AYE: Bilka, Garrelts, Lundeen, Nickel, Olsen, Raffety and Reynolds

NAY: Johnson and Winz

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

**Activity and Progress Report:** Kevin Breece reported 73 conservation applications were approved totaling \$1.9 million for pivots, pipelines, sub-surface drip and etc. There was discussion about the Small Dam meetings being held by NDNR.

**COST SHARE REPORT**

**Well Abandonment** – Thorburn presented ten well decommissioning cost-share applications for approval. Moved by Winz, seconded by Olsen to approve well decommissioning cost-share applications #119-#128. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Nickel

ABSENT: Bergstrom, Harris, Larson and Nelson

**NSWCP & NRD Applications** – Thorburn presented nine NSWCP cost-share applications and three TBNRD cost-share applications. Moved by Garrelts, seconded by Johnson to approve nine NSWCP Cost-share applications and three TBNRD cost-share applications. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

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

**GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – Thorburn presented one groundwater transfer request for Jim Bundgaard, eleven certified irrigated acre transfer requests (Blake J Farms, Jon Burgeson, Sonshine Farms, Keith Carlson, Petersen Land (3), Steve/Brian Petersen (2), GSP Farms and Minden Community Redevelopment) and four special requests for Jim Bundgaard, Connie Stadler (correction to irrigated acres), Gene Trausch (flowmeter exception to allow pivot to be installed) and Larry Wilcox (correction to irrigated acres). Eugene Trausch, Blake Johnson, Brian Petersen, Larry Wilcox, Arlen Osterbuhr were present to answer questions.

Moved by Reynolds, seconded by Garrelts to approve groundwater transfer request for Jim Bundgaard. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

Moved by Reynolds, seconded by Raffety to approve certified irrigated acre transfer requests (Blake J Farms, Jon Burgeson, Sonshine Farms, Keith Carlson, Petersen Land, Steve/Brian Petersen, GSP Farms and Minden Community Redevelopment). Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

Moved by Garrelts, seconded by Reynolds to approve a flowmeter variance (installation deadline of (March 1, 2014) for Jim Bundgaard, correction of certified irrigated acres for Connie Stadler, and request to drill new well for Eugene Trausch. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

Moved by Raffety, seconded by Olsen to approve a correction of certified irrigated acres for Minden Exchange Bank. Motion carried.

AYE: Bilka, Johnson, Lundeen, Olsen, Raffety, Reynolds and Winz

NAY: Garrelts

ABSTAIN: Nickel

ABSENT: Bergstrom, Harris, Larson and Nelson

**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**

**Proposed Odessa IPA:** This item will be discussed after the hearing is closed.

**N. Dry Creek Fishery Research:** Jeremy Grauf, UNK, gave a presentation on fish species population and diversity produced by pumping of North Dry Creek Augmentation well. The study showed that fish population increased but overall diversity remained stable. The fishery data will be collected again this summer.

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**Proposed Odessa IPA:** Thorburn explained the process of implementing an Improvement Project Area. If Directors see merit in the project, the next step is to conduct a Units of Benefit Election. Landowners receive ballots with their Unit of Benefit cost and have thirty days to return their voting card. Ostgren mentioned that S Road was closed by the Phelps County Road Dept. Thorburn mentioned that landowner easements will be required. Keith Stafford questioned how Nebraska Statute #2-3242, applies to “enhanced drainage”. Thorburn said that would be a question for our attorney. Stafford also questioned liability issues. Lundeen questioned liability issue with easements.

Moved by Reynolds, seconded by Olsen to proceed with the next stage of implementation of Odessa Improvement Project Area (including the three west quarters owned by Keith Stafford (as shown on revised map) by allowing landowners to vote and hold a hearing after the vote. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

**Proposed NRD Rules Revisions:** Thorburn presented the most recent draft of the Groundwater Management Rules and Regulations with wording deleted about limiting transfers.

Moved by Raffety, seconded by Johnson to hold a hearing on the proposed Groundwater Management Rules and Regulations on June 11, 2013. Motion carried.

AYE: Bilka, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Garrelts

ABSENT: Bergstrom, Harris, Larson and Nelson

**NARD REPORT**

**NARD Niobrara Basin Tour June 9-11, 2013:** Nelson and Reynolds will attend the NARD Basin Tour.

**COMMITTEE REPORTS**

**Planning Committee:** Thorburn reviewed the actions at the Planning Committee meeting. Moved by Olsen seconded by Johnson to accept the recommendation of the Planning Committee that Water Banking, Pumping Groundwater into the Republican Basin and Leasing Water from CNPPID be established as the preferred alternatives for options for offsets in the Republican Basin. Motion carried.

AYE: Bilka, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Garrelts

ABSENT: Bergstrom, Harris, Larson and Nelson

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** Thorburn gave a short presentation about the dedication of the State Soil Marker at the Nebraska Prairie Museum.

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

**MONTHLY REPORTS**

**Republican Basin (NRRMD):** Thorburn explained releases on the Republican River to satisfy compact compliance. Kansas ultimately agreed to allow releases to be stored.

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**Platte Basin:** Little attend Water Action Committee meeting. TBNRD will review trigger levels.

**South Dry Creek:** Culvert will be installed.

**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.

**Lake Seldom:** Trees and Shrubs planted.

**CoHyst/Platte Basin Coalition:** Model will be ready August 21, 2013.

**Weed Management Areas – Riparian Vegetation Task Force:** Twin Valley Weed Management Area is clearing trees on Spring Creek.

**Sand Creek/Little Blue Basin:** Appraisal is in process.

**CNPPID:** Ford reported Lake McConaughay 63% full and elevation 3240 feet.

**NEW BUSINESS**

There was no new business.

**COMMENTS AND CONCERNS**

There were no comments and concerns.

**PERSONNEL & LEGAL MATTERS**

Moved by Garrelts, seconded by Olsen to move to executive session for the protection of the public to discuss contractual matters at 9:03 p.m. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

Moved by Johnson, seconded by Olsen to move out of executive session for the protection of the public to discuss contractual matters at 9:20 p.m. Motion carried.

AYE: Bilka, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Harris, Larson and Nelson

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**NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held at 7:30 p.m., on Tuesday, June 11, 2013 at Tri-Basin NRD.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 3:55 p.m.

**DIRECTORS PRESENT**

Joe Bilka, Todd Garrelts, Phyllis Johnson, Brad Lundeen, David Nickel, Dave Olsen and Dave Raffety, Larry Reynolds, and Ray Winz.

**OTHERS PRESENT**

Carie Lynch, John Thorburn, Nicole Salisbury, Kevin Breece, Tammy Fahrenbruch, Dave Ford, Nolan Little, Jeremy Grauf, Lee Wells, Jim Ostgren, Bobby Hamilton, Larry Wilcox, Arlen Osterbuhr, Eugene Trausch, Steve Johnson, Jerad Olsen, Bernard Norberg, Brian Petersen, Blake Johnson, and Keith Stafford.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
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Motion #	Category	Subject	Aye	Nay	Abs	Motion
2013-04-09-01	Meeting Administration		8		1	Moved by Johnson, seconded by Winz, to approve the minutes for the April 9, 2013 Regular Board of Directors Meeting. Motion carried.
2013-04-09-02	Meeting Administration		7		2	Moved by Olsen, seconded by Lundeen, to approve the minutes for the April 9, 2013 Special Board of Directors Meeting. Motion carried.
2013-04-09-03	Meeting Administration					Moved by Johnson, seconded by Winz, to approve the minutes for the April 12, 2013 Planning Committee Meeting. Motion carried unanimously.
2013-04-09-04	Meeting Administration		9			Moved by Raffety, seconded by Bilka, to accept the April 2013 financial reports and file for audit. Motion carried.
2013-04-09-05	Budget		9			Moved by Garrelts, seconded by Winz to approve the VISA and attorney bills. Motion carried.
2013-04-09-06	Meeting Administration		7	2		Moved by Lundeen, seconded by Bilka to approve farm plans for Knoerzer Farms, Inc. and Vernon Hueftle. Motion carried.
2013-04-09-07	Meeting Administration		8		1	Moved by Winz, seconded by Olsen to approve well decommissioning cost-share applications #119-#128. Motion carried.
2013-04-09-08	Meeting Administration		9			Moved by Garrelts, seconded by Johnson to approve nine NSWCP Cost-share applications and three TBNRD cost-share applications. Motion carried.
2013-04-09-09	Certification & Transfers	Jim Bundgaard	9			Moved by Reynolds, seconded by Garrelts to approve groundwater transfer request for Jim Bundgaard. Motion carried.
2013-04-09-10	Certification & Transfers	Blake J, Burgeson, Sonshine, Carlson, Petersen Land, Petersen, GSP and Minden Community	9			Moved by Reynolds, seconded by Raffety to approve certified irrigated acre transfer requests (Blake J Farms, Jon Burgeson, Sonshine Farms, Keith Carlson, Petersen Land, Steve/Brian Petersen, GSP Farms and Minden Community Redevelopment). Motion carried.
2013-04-09-11	Certification &	Bundgaard,	9			Moved by Garrelts, seconded by Reynolds



	Transfers	Stadlet, Trausch				to approve a flowmeter variance (installation deadline of (March 1, 2014) for Jim Bundgaard, correction of certified irrigated acres for Connie Stadler, and request to drill new well for Eugene Trausch. Motion carried.
2013-04-09-12	Certification & Transfers	Minden Exchange Bank	7	1	1	Moved by Raffety, seconded by Olsen to approve a correction of certified irrigated acres for Minden Exchange Bank. Motion carried.
2013-04-09-13	Projects	Odessa IPA	9			Moved by Reynolds, seconded by Olsen to proceed with the next stage of implementation of Odessa Improvement Project Area (including the three west quarters owned bt Keith Stafford (as shown on revised map) by allowing landowners to vote and hold a hearing after the vote. Motion carried.
2013-04-09-14	District Plans & Programs	GW Mgmt. Rules hearing	8		1	Moved by Raffety, seconded by Johnson to hold a hearing on the proposed Groundwater Management Rules and Regulations on June 11, 2013. Motion carried.
2013-04-09-15	River Basins	Republican Basin preferred alternatives	8		1	Moved by Olsen seconded by Johnson to accept the recommendation of the Planning Committee that Water Banking, Pumping Groundwater into the Republican Basin and Leasing Water from CNPPID be established as the preferred alternatives for options for offsets in the Republican Basin. Motion carried.
2013-04-09-16	Meeting Administration		9			Moved by Garrelts, seconded by Olsen to move to executive session for the protection of the public to discuss contractual matters at 9:03 p.m. Motion carried.
2013-04-09-17	Meeting Administration		9			Moved by Johnson, seconded by Olsen to move out of executive session for the protection of the public to discuss contractual matters at 9:20 p.m. Motion carried.