

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, May 12, 2015, 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 Olsen, at 7:30 p.m. Olsen noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with ten directors present: Bergstrom, Cavanaugh, Garrelts, Johnson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz. Harris and Larson were absent. Bilka arrived at 8:04. Notice of the meeting was published in the Holdrege Citizen, Bertrand Herald, Elwood Bulletin and Minden Courier and announced on radio stations KRVN, Lexington and KUVR, Holdrege.

EXCUSE ABSENCES

There were no absences to excuse.

MINUTES

Thorburn presented the minutes of the April 14, 2015, Board of Directors Meeting and public hearing on revising TBNRD groundwater management rules and regulations. Reynolds commented that a correction needs to be made to the hearing minutes concerning attending directors. Moved by Nickel, seconded by Winz, to approve the minutes for the March 10, 2015 Board of Directors Meeting and hearing, as amended. Motion carried.

AYE: Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety and Winz

NAY: None

ABSTAIN: Bergstrom and Reynolds

ABSENT: Bilka, Harris and Larson

FINANCIAL REPORT

Thorburn presented the financial report for the month of April 2015 as follows:

Accrual Expenditures for Month -----	\$87,236.13
Cash Expenditures for Month-----	\$92,572.04
Accrual Revenues for Month-----	\$80,029.01
Cash Revenues for Month-----	\$77,853.16
Bank Balance—April 30, 2015-----	\$280,909.12
Accounts Receivable – April 30, 2015-----	\$27,534.94
Investments – Pinnacle Bank – April 30, 2015-----	\$50,049.68
Whiskey Slough IPA Balance – April 30, 2015-----	\$18,804.95
Fort Kearny-West IPA Balance – April 30, 2015-----	\$9,82.25
South Dry Creek IPA Balance – April 30, 2015-----	\$11,734.68
Fort Kearny IPA Balance – April 30, 2015-----	\$11,482.18
North Dry Creek IPA Balance – April 30, 2015-----	\$16,579.96
Sacramento Creek IPA Balance – April 30, 2015-----	\$22,624.45
Water Jamboree – April 30, 2015-----	\$5,124.47
NRRMDA – April 30, 2015-----	\$7,623.12
Odessa IPA – April 30, 2015-----	\$5,984.65

Moved by Johnson, seconded by Garrelts, to accept the April 2015 financial reports and file for audit. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Larson

SPECIAL BILLS

Thorburn presented the VISA and attorney bills for approval. Nickel asked staff to contact the credit card company and ask for credit for over limit fee. (Resolved – Credit will appear on next billing).

Moved by Garrelts, seconded Johnson to approve the visa and attorney bills. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Larson

NRCS REPORT

FSA Farm Plans: Breece presented two farm plans for approval. Moved by Raffety, seconded Bergstrom to approve two farm plans. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Larson

Activity and Progress Report: Breece reported CSP applications are being ranked and the civil engineer job closed.

COST SHARE REPORT

Well Abandonment – Thorburn presented nine well decommissioning cost-share applications for approval. Moved by Johnson seconded by Winz to approve nine well decommissioning cost-share applications. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Nickel and Olsen

ABSENT: Bilka, Harris and Larson

NSWCP & NRD Applications – Thorburn presented two NSWCP cost-share applications, and five TBNRD windbreaks to approve. Moved by Johnson, seconded by Reynolds to approve two NSWCP cost-share applications and five TBNRD cost-share applications. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Nickel and Olsen

ABSENT: Bilka, Harris and Larson

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented one certified irrigated acre transfer request from Terry Sorensen and a request for a correction to assessed acres for Steven Colter. Jackie Sorensen was present to answer questions.

Moved by Reynolds, seconded by Lundeen to approve a certified irrigated acre transfer request for Terry Sorensen and a correction to assessed acres for Steven Colter. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Larson

Educational Land Leases – There were no education 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. Thorburn introduced Scott Dicke, LRNRD Assistant Manager.

UNFINISHED BUSINESS

NARD REPORT

Thorburn mentioned there will be a NARD Republican River Basin Tour June 15-17, 2015, the UNL Tour on June 23-25, 2015 and the GMDA Conference in Idaho on June 10-12, 2015.

COMMITTEE REPORTS

Joint Meeting with CNPPID: The Joint Committee met on Monday, May 11, 2015 at CNPPID. This item will be discussed under another agenda item (Platte Basin).

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There was no staff report.

Out-of-State Travel: Moved by Nickel, seconded by Raffety to approve out of state travel for two directors to go to the GMDA Conference in Coeur D' Alene, ID on June 10-12, 2015 and for Thorburn and three Directors to go on the UNL Republican Basin Tour on June 23-25, 2015 into eastern Colorado. Motion carried.

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

NAY: None

ABSTAIN: Winz

ABSENT: Bilka, Harris and Larson

MONTHLY REPORTS

Republican Basin (NRRMDA): The Basin-Wide Stakeholders meeting will be held June 17, 2015 in Cambridge, NE.

Platte Basin: Thorburn presented a second amendment to an existing agreement with CNPPID that would allow high flows from the Platte to be diverted into Elwood Reservoir and Cottonwood WPA. NDNR is willing to cost-share. Multiple rain events in Colorado are producing high flows in the South Platte River, which should reach North Platte this weekend. Thorburn reviewed cash

reserve available for the project because it is an unbudgeted expense. Nickel suggested paying for excess flows in FY 2015-2016. Ford commented that there is 7,000 feet of storage available in Elwood Reservoir. Ford asked if filling Elwood Reservoir was the priority and filling Cottonwood WPA was secondary. Thorburn stated filling Elwood Reservoir was primary but the NRD wants to see water store in Elwood released down E-65 Canal and into Cottonwood WPA when possible. Thorburn commented that this type of recharge project has long-term benefits. Thorburn mentioned there will be the option for diverting additional amounts. Moved by Garrelts, seconded by Cavanaugh to approve the Amendment #2 to the Water Service Agreement – Groundwater Recharge from Excess Flows Between CNPPID and TBNRD. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Harris and Larson

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: Nothing to report.

Lake Seldom: Nothing to report

CoHyst/Platte Basin Coalition: Platte Basin Coalition will meet on May 18, 2015 and the Land Committee will meet May 27, 2015.

Sand Creek/Little Blue Basin: The hearing for the Kuehn Property will be held at the June board meeting.

Weed Mgmt. Areas/Riparian Veg. TF: Nothing to report.

CNPPID: Ford reported Lake McConaughay is at elevation 3250.9.

NEW BUSINESS

Schedule Hearing for Crop Report Violators: Moved by Garrelts, seconded by Raffety to schedule a hearing for crop report violators on July 14, 2015. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Harris and Larson

Schedule Special Board Meeting: Thorburn commented that if additional high flows are available, a special board meeting might be required for approval. Another topic for the special board meeting could be reviewing spring groundwater levels.

PERSONNEL & LEGAL MATTERS

Moved by Nickel, seconded by Winz to move to executive session for the protection of the public to discuss legal issues at 8.32 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Harris and Larson

Moved by Nickel, seconded by Raffety to move out of executive session for the protection of the public to discuss legal issues at 9:40 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Harris and Larson

Moved by Garrelts, seconded by Raffety to agree to divert up to Elwood Reservoir to capacity or 5,000 acre feet, whichever is greater, conditional upon state agreement to cost-share on diversions and the option to release down E-65 Canal. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Harris and Larson

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, July 14, 2015, 2015 at Tri-Basin NRD

ADJOURNMENT

There being no further business, the meeting adjourned at 9:50 p.m.

DIRECTORS PRESENT

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

TRI-BASIN NRD BOARD MINUTES
May 12, 2015
Page Seven

OTHERS PRESENT

Carie Lynch, John Thorburn, Tammy Fahrenbruch, Dave Ford, Kevin Breece, Scott Dicke, Jackie Sorensen and Mike Winter.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 May 12, 2015

ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2015-05-12-01	Meeting Administration		8		2	Moved by Nickel, seconded by Winz, to approve the minutes for the March 10, 2015 Board of Directors Meeting and hearing, as amended. Motion carried.
	2015-05-12-02	Meeting Administration		10			Moved by Johnson, seconded by Garrelts, to accept the April 2015 financial reports and file for audit. Motion carried.
	2015-05-12-03	Meeting Administration		10			Moved by Garrelts, seconded Johnson to approve the visa and attorney bills. Motion carried.
	2015-05-12-04	Meeting Administration		10			Moved by Raffety, seconded Bergstrom to approve two farm plans. Motion carried.
	2015-05-12-05	Meeting Administration		10			Moved by Johnson seconded by Winz to approve nine well decommissioning cost-share applications. Motion carried.
	2015-05-12-06	Meeting Administration		10			Moved by Johnson, seconded by Reynolds to approve two NSWCP cost-share applications and five TBNRD cost-share applications. Motion carried.
	2015-05-12-07	Certification & Transfers	Sorensen and Colter	10			Moved by Reynolds, seconded by Lundeen to approve a certified irrigated acre transfer request for Terry Sorensen and a correction to assessed acres for Steven Colter. Motion carried.
	2015-05-12-08	Meeting Administration		10			Moved by Nickel, seconded by Raffety to approve out of state travel for two directors to go to the GMDA Conference in Coeur D' Alene, ID on June 10-12, 2015 and for Thorburn and three Directors to go on the UNL Republican Basin Tour on June 23-25, 2015 into

							eastern Colorado. Motion carried.
2015-05-12-09	Agreements	Water Service Agreement Excess Flows	10				Moved by Garrelts, seconded by Cavanaugh to approve the Amendment #2 to the Water Service Agreement – Groundwater Recharge from Excess Flows Between CNPPID and TBNRD. Motion carried.
2015-05-12-10	Meeting Administration	Crop Report Violators	10				Moved by Garrelts, seconded by Raffety to schedule a hearing for crop report violators on July 14, 2015. Motion carried.
2015-05-12-11	Meeting Administration		10				Moved by Nickel, seconded by Winz to move to executive session for the protection of the public to discuss legal issues at 8.32 p.m. Motion carried.
2015-05-12-12	Meeting Administration		10				Moved by Nickel, seconded by Raffety to move out of executive session for the protection of the public to discuss legal issues at 9:40 p.m. Motion carried.
2015-05-12-13	Agreements	Divert to Elwood Reservoir excess flows	10				Moved by Garrelts, seconded by Raffety to agree to divert up to Elwood Reservoir to capacity or 5,000 acre feet, whichever is greater, conditional upon state agreement to cost-share on diversions and the option to release down E-65 Canal. Motion carried.