

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, June 17, 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 7:33 p.m. Nickel noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with ten directors present: Bilka, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Raffety, Reynolds and Winz. Bergstrom, Garrelts and Olsen 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 May 13, 2014 Board Meeting and May 16, 2014 Planning Committee Meeting.

Moved by Bilka, seconded by Winz, to approve the minutes for the May 13, 2014 Regular Board of Directors Meeting. Motion carried.

AYE: Bilka, Larson, Lundeen, Nelson, Nickel, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Harris and Johnson

ABSENT: Bergstrom, Garrelts and Olsen

Moved by Larson, seconded by Lundeen, to approve the minutes for the May 16, 2014 Planning Committee Meeting. Motion carried unanimously.

FINANCIAL REPORT

Thorburn presented the financial report for the month of May 2014 as follows:

Accrual Expenditures for Month -----	\$75,326.47
Cash Expenditures for Month-----	\$79,599.85
Accrual Revenues for Month-----	\$454,947.07
Cash Revenues for Month-----	\$453,235.86
Bank Balance—May 31, 2014-----	\$727,264.39
Accounts Receivable – May 31, 2014-----	\$9,806.05
Investments – Pinnacle Bank – May 31, 2014-----	\$610,163.08
Whiskey Slough IPA Balance – May 31, 2014-----	\$19,145.81
Fort Kearny-West IPA Balance – May 31, 2014-----	\$8,435.84
South Dry Creek IPA Balance – May 31, 2014-----	\$10,438.57
Fort Kearny IPA Balance – May 31, 2014-----	\$11,572.00
North Dry Creek IPA Balance – May 31, 2014-----	\$16,697.21
Sacramento Creek IPA Balance – May 31, 2014-----	\$23,057.10
Water Jamboree – May 31, 2014-----	\$5,565.77
NRMDA – May 31, 2014-----	\$7,654.46

Moved by Larson, seconded by Nelson, to accept the May 2014 financial reports and file for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

SPECIAL BILLS

Thorburn presented the Brooks tractor rental bill, attorney and VISA bills for approval. Moved by Johnson, seconded by Winz to approve the visa bills. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Moved by Johnson, seconded by Lundeen to approve the attorney bills. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Moved by Winz, seconded by Raffety to approve Charles Brooks tractor rental bill. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

NRCS REPORT

FSA Farm Plans: Breece presented four farm plans for approval for Terry Sorenson, Craig Hilker, Doyle Benson and Bryan Knoerzer. Moved by Bilka, seconded by Raffety to approve four farm plans.

Motion carried.

AYE: Bilka, Larson, Lundeen, Nelson, Nickel, Raffety, Reynolds and Winz

NAY: Harris and Johnson

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Activity and Progress Report: Breece reported on EQIP and CSP. Breece reported on pivot and crop damage after the recent storm.

COST SHARE REPORT

Well Abandonment – There were no well decommissioning cost-share applications to approve.

NSWCP & NRD Applications – Thorburn presented fourteen NSWCP cost-share applications, 2nd Extension and one TBNRD Cost-share application for approval. Moved by Nelson, seconded by Lundeen to approve fourteen NSWCP Cost-share applications, 2nd Extension and one TBNRD cost-share application. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented one groundwater transfer request (Stephen Larson), two irrigated acre transfer requests (Richard & Eleanor Carlson (2)) and one request to modify an irrigation well to a stock well for Phelps County Feeders. Thorburn explained that NDNR has already approved the repurpose because of their interpretation of state statutes. Richard and Louise Carlson were present to answer questions.

Moved by Raffety, seconded by Reynolds to approve one groundwater transfer request (Stephen & Carolyn Larson), two irrigated acre transfer requests for Richard and Eleanor Carlson and a request modify a well to a stock well for Phelps County Feeders. Motion carried.

AYE: Bilka, Harris, Johnson, Lundeen, Nelson, Nickel, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Larson

ABSENT: Bergstrom, Garrelts and Olsen

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

LBNRD Water Quality Study, Mike Onnen: Mike Onnen, Manager for Little Blue NRD, presented information about a future water quality study the Little Blue Basin. He handed out a copy of a hydrologic investigation that was performed. The Environmental Trust, NDEQ and LBNRD are providing funding for the water quality/quantity study. The first phase, which was a soil coring project, has already been completed with a cost of \$107,000. The total estimated cost of Phase II will be \$265,000. Onnen asked if TBNRD would like to contribute to the study to include TBNRD's portion of the Little Blue Basin. Reynolds suggested adding the issue to the FY 2014-2015 budget discussion.

Approve NDC Augmentation Well Permit: Thorburn reported that state law requires that any well drilled for streamflow augmentation, wildlife enhancement or wetland enhancement needs to be presented to the public prior to permitting. The 2nd NDC Streamflow Augmentation Well is located on Lee Anderson's property. Anderson owns the property and TBNRD holds an easement for the well. Thorburn asked for public comment and none was given. TBNRD will drill be drilling an observation well first. Moved by Reynolds, seconded by Winz to approve the well permit for the 2nd NDC Streamflow Augmentation well to be located on Lee Anderson's property. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Presentation on Odessa IPA by Snow Surveying: Lee Wells asked Thorburn to review a survey done by Snow Surveying.

2014-2015 Odessa IPA Assessment: Thorburn explained that postcards were sent to Odessa IPA landowners asking whether landowners support the project. Postcards were received from all but one of the landowners with the majority of project units of benefit supporting the project. Lee Wells provided written comments.

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Odessa IPA would borrow the construction costs from TBNRD and pay back over a period of five years with interest (prime rate). The next step would be to get bids for excavation and a get permit for culverts under roads from Phelps County.

Moved by Raffety, seconded by Johnson to approve the Unit of Benefit Assessment for Odessa IPA at \$5.66 per unit of benefit and form a steering committee. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

NARD REPORT

Reynolds and Brooks reported on the Republican Basin Tour.

COMMITTEE REPORTS

Planning Committee: Thorburn reviewed the recommendations made by the Planning Committee on Friday, May 16, 2014, which were: 1. To recommend to the board to approve the rules revisions as revised by the committee, and have Thorburn develop proposed rules specifying a process for pooling allocations and 2. To recommend to the board to set the chemigation rates at \$50 for a new permit, \$15 for a renewal and set the emergency rate at \$250 effective January 1, 2015.

Ad hoc Sand Creek Land Committee: Thorburn suggested the ad hoc Sand Creek Land Committee meet without landowners to discuss the appraisals and landowner negotiations. Johnson suggested meeting after the final report from EA Associates is received.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: Lynch reported on progress of electronic board packets.

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

MONTHLY REPORTS

Republican Basin (NRRMDA): NRRMDA will continue.

Platte Basin: Excess flow diversion agreement will be discussed later in the meeting. Platte Basin OA meeting will be held at TBNRD on Thursday, June 19, 2014.

South Dry Creek: Shredding has been done and ditch bottoms will be sprayed.

Sacramento Creek: Shredding has been done and ditch bottoms will be sprayed.

Middle Lost Creek: Shredding has been done and ditch bottoms will be sprayed.

Fort Kearny West: Shredding has been done and ditch bottoms will be sprayed.

Fort Kearny: Shredding has been done and ditch bottoms will be sprayed.

North Dry Creek: Shredding has been done and ditch bottoms will be sprayed.

Whiskey Slough: Broadleaf spraying will begin soon.

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Odessa IPA: This item was discussed earlier.

Lake Seldom: Nothing to report

CoHyst/Platte Basin Coalition: Nothing to report.

Sand Creek/Little Blue Basin: Three observation wells are done in SE Kearney County.

CNPPID: Ford reported Lake McConaughay is at elevation 3242 ft. and under 65% capacity. Thorburn reminded the board of a Joint CNPPID/TBNRD Committee meeting on Tuesday, June 24, 2014 to discuss a long-term agreement to divert excess flows and an update on J-2 Reregulation Reservoir.

NEW BUSINESS

Review Proposed Groundwater Management Rules Revisions: Thorburn reviewed the recommend changes to the groundwater management rules and regulations as revised by the Planning Committee along with an additional section on “pooling”.

Thorburn commented that he has spoken with several villages concerning municipal wells and potential groundwater quantity restrictions.

Thorburn used other districts pooling wording to develop the pooling section. The main concern is to not allow landowners to pump water they weren't pumping before. Bilka suggested adding deadlines. Lundeen commented that the new rule wouldn't allow landowners to pool gravity and pivot parcels to increase water efficiency. Winz commented on parking acres.

Nickel and Reynolds suggested an attorney review the Groundwater Management Rules and Regulations changes before the July 2014 board meeting. Lundeen asked for input on what an allocation would be for Phase III areas. Thorburn will provide information based on location and for the entire district.

Moved by Reynolds, seconded by Bilka to refer the proposed changes to the groundwater Management Rules and Regulations to TBNRD's attorney so they can be reviewed at the next board meeting. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Approve Agreement Between TBNRD, CNPPID and NDNR for Diverting High Flows:

Thorburn reported water has been diverted at a cost of \$39/af and will remain in effect until 12-31-14. The cost of the water will be split with NDNR. Thorburn reviewed the associated offset credit TBNRD will receive for the Platte and Republican basins.

Moved by Raffety, seconded by Bilka to approved the agreement with CNPPID to divert excess flows into Elwood Reservoir at a rate of \$39/af with the agreement in force until 12-31-14. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

PERSONNEL & LEGAL MATTERS

Moved by Bilka, seconded by Lundeen to move to executive session for the protection of the public to discuss contract negotiations at 9:45 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Moved by Winz, seconded by Johnson to move out of executive session for the protection of the public to discuss contract negotiations at 10:15 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

Moved by Reynolds, seconded by Bilka to change the July 8, 2014 Board Meeting time from 1:30 p.m. to 6:30 p.m. Motion carried.

AYE: Bilka, Harris, Johnson, Larson, Lundeen, Nelson, Raffety, Reynolds and Winz

NAY: Nickel

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Olsen

COMMENTS AND CONCERNS

There were no comments or concerns.

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held 6:30 p.m., on Tuesday, July 8, 2014 at Tri-Basin NRD, Holdrege, NE

ADJOURNMENT

There being no further business, the meeting adjourned at 10:15 p.m.

DIRECTORS PRESENT

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

OTHERS PRESENT

Carie Lynch, John Thorburn, Kevin Breece, Dave Ford, Charles Brooks, Nicole Salisbury, Richard Carlson, Louise Carlson, Mike Onnen, Lee Wells and Tammy Fahrenbruch.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
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ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2014-06-09-01	Meeting Administration		8	0	2	Moved by Bilka, seconded by Winz, to approve the minutes for the May 13, 2014 Regular Board of Directors Meeting. Motion carried.
	2014-06-09-02	Meeting Administration					Moved by Larson, seconded by Lundeen, to approve the minutes for the May 16, 2014 Planning Committee Meeting. Motion carried unanimously.
	2014-06-09-03	Meeting Administration		10	0	0	Moved by Larson, seconded by Nelson, to accept the May 2014 financial reports and file for audit. Motion carried.
	2014-06-09-04	Budget		10	0	0	Moved by Johnson, seconded by Winz to approve the visa bills. Motion carried.
	2014-06-09-05	Budget		10	0	0	Moved by Johnson, seconded by Lundeen to approve the attorney bills. Motion carried.
	2014-06-09-06	Budget		10	0	0	Moved by Winz, seconded by Raffety to approve Charles Brooks tractor rental bill. Motion carried.
	2014-06-09-07	Meeting Administration		8	2	0	Moved by Bilka, seconded by Raffety to approve four farm plans. Motion carried.
	2014-06-09-08	Meeting Administration		10	0	0	Moved by Nelson, seconded by Lundeen to approve fourteen NSWCP Cost-share applications, 2 nd Extension and one TBNRD cost-share application. Motion carried.
	2014-06-09-09	Certification & Transfers	Larson, Carlson, Phelps Co. Feeders	9	0	1	Moved by Raffety, seconded by Reynolds to approve one groundwater transfer request (Stephen & Carolyn Larson), two irrigated acre transfer requests for Richard and Eleanor Carlson and a request modify a well to a stock well for Phelps County Feeders. Motion carried.

2014-06-09-10	Projects	Lee Anderson NDC Well	10	0	0	Moved by Reynolds, seconded by Winz to approve the well permit for the 2 nd NDC Streamflow Augmentation well to be located on Lee Anderson's property. Motion carried.
2014-06-09-11	Projects	Odessa IPA	10	0	0	Moved by Raffety, seconded by Johnson to approve the Unit of Benefit Assessment for Odessa IPA at \$5.66 per unit of benefit and form a steering committee. Motion carried.
2014-06-09-12	Meeting Administration		10	0	0	Moved by Reynolds, seconded by Bilka to refer the proposed changes to the groundwater Management Rules and Regulations to TBNRD's attorney so they can be reviewed at the next board meeting. Motion carried.
2014-06-09-13	Agreements	CNPPID Excess Flows	10	0	0	Moved by Raffety, seconded by Bilka to approved the agreement with CNPPID to divert excess flows into Elwood Reservoir at a rate of \$39/af with the agreement in force until 12-31-14. Motion carried.
2014-06-09-14	Meeting Administration		10	0	0	Moved by Bilka, seconded by Lundeen to move to executive session for the protection of the public to discuss contract negotiations at 9:45 p.m. Motion carried.
2014-06-09-15	Meeting Administration		10	0	0	Moved by Winz, seconded by Johnson to move out of executive session for the protection of the public to discuss contract negotiations at 10:15 p.m. Motion carried.
2014-06-09-16	Meeting Administration		9	1	0	Moved by Reynolds, seconded by Bilka to change the July 8, 2014 Board Meeting time from 1:30 p.m. to 6:30 p.m. Motion carried.