

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, August 11, 2015, 1:30 p.m.**  
**Funk Community Building**

**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 1:32 p.m. Olsen noted Public Meeting Law is posted in the boardroom. Two hearings were opened prior to this meeting to discuss the FY 2015-2016 Budget and groundwater management rules changes.

**ROLL CALL**

Roll call was taken with nine directors present: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz. Bilka, Reynolds and Garrelts were absent. David Nickel was not present at the meeting. He submitted his resignation prior to the meeting because he has moved out of the district. 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 July 14, 2015, Board of Directors Meeting and Special Board Meeting. Reynolds commented prior to the meeting that the amount shown for the NET NRD Video was \$4,000 and not \$1400. Moved by Larson, seconded by Johnson, to approve the minutes for the July 14, 2015 Board of Directors Meeting and Special Board Meeting (as amended). Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**FINANCIAL REPORT**

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

Accrual Expenditures for Month -----	\$174,367.66
Cash Expenditures for Month-----	\$180,546.00
Accrual Revenues for Month-----	\$160,957.55
Cash Revenues for Month-----	\$220,704.98
Bank Balance--July 31, 2015-----	\$650,379.83
Accounts Receivable – July 31, 2015-----	\$20,675.44
Investments – Pinnacle Bank – July 31, 2015-----	\$50,058.05
Whiskey Slough IPA Balance – July 31, 2015-----	\$18,603.81
Fort Kearny-West IPA Balance – July 31, 2015-----	\$10,162.57
South Dry Creek IPA Balance – July 31, 2015-----	\$12,124.23
Fort Kearny IPA Balance – July 31, 2015-----	\$11,444.87
North Dry Creek IPA Balance – July 31, 2015-----	\$16,079.82
Sacramento Creek IPA Balance – July 31, 2015-----	\$22,333.62
Water Jamboree – July 31, 2015-----	\$2,555.19
NRRMDA – July 31, 2015-----	\$7,623.50
Odessa IPA – July 31, 2015-----	\$14,092.19

Moved by Bergstrom, seconded by Harris, to accept the July 2015 financial reports and file for audit. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz  
NAY: None  
ABSTAIN: None  
ABSENT: Bilka, Garrelts and Reynolds

#### SPECIAL BILLS

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

AYE: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz  
NAY: None  
ABSTAIN: None  
ABSENT: Bilka, Garrelts and Reynolds

#### NRCS REPORT

**FSA Farm Plans:** There were no farm plans for approval.

**Activity and Progress Report:** Kevin Breece reported staff is working on CSP reviews, EQIP field checks and participating in Gosper/Kearney County fairs. Job openings are available for a Program Assistant and Range Conservationist. Breece mentioned the IWMS position will no longer be funded by CNPPID and TBNRD but solely funded by USDA/NRCS as of September 1, 2015. Breece has suggested a Memorandum of Understanding to state the purpose of the position.

#### COST SHARE REPORT

**Well Abandonment** – Thorburn presented four well decommissioning applications for approval. Moved by Winz, seconded Larson to approve four well decommissioning cost-share applications. Motion carried.

AYE: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz  
NAY: None  
ABSTAIN: None  
ABSENT: Bilka, Garrelts and Reynolds

**NSWCP & NRD Applications** – Thorburn recommended three NSWCP cost-share applications for approval. Moved by Bergstrom, seconded Lundeen to approve three NSWCP cost-share applications. Motion carried.

AYE: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz  
NAY: None  
ABSTAIN: None  
ABSENT: Bilka, Garrelts and Reynolds

#### GROUNDWATER MANAGEMENT

**Groundwater & Certified Acre Transfers** – Thorburn presented two groundwater transfer requests (Lilyhorn and Anderson), two certified irrigated acre transfer requests (Miller and Mohr) and one special request (Ridenour) for a well variance. Brandon Jameson and Bob Ridenour were present to answer questions. Moved by Winz, seconded by Cavanaugh to approve two groundwater transfer requests (Lilyhorn and Anderson), two certified irrigated acre transfer requests (Miller and Mohr) and a well variance request for Ridenour. Motion carried.

AYE: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz  
NAY: None  
ABSTAIN: None  
ABSENT: Bilka, Garrelts and Reynolds

**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. Tom Schwarz commented on the proposed groundwater management rules changes and expressed that he is not in favor of the changes.

#### **UNFINISHED BUSINESS**

**Review Spring Groundwater Level Data:** Thorburn reviewed spring groundwater level data.

**Consider Approval of Well Permit for Streamflow Augmentation Well - PRRIP:** Thorburn explained that Sira Sartori, PRRIP, presented information about an augmentation well in Gosper County at the July board meeting. The board tabled approving the well permit until the August board meeting. The motion was tabled because the rules and regulations currently don't allow TBNRD to regulate an augmentation well operated by another entity, the board wanted more information about the operating plan and information about well ownership in the event PRRIP operations cease. Moved by Lundeen, seconded by Bergstrom to send the PRRIP augmentation well to the Projects and Construction Committee for discussion. Motion carried.

AYE: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Olsen, Raffety and Winz  
NAY: None  
ABSTAIN: None  
ABSENT: Bilka, Garrelts and Reynolds

**Consider Additional 1% levy increase for FY 2015-2016:** This agenda item will be discussed when the hearing is closed.

**Consider Approval of NRD FY 2015-2016 Budget:** This item will be discussed when the hearing is closed.

**Consider Approval of NRD Groundwater Rules Revisions:** This item will be discussed when the hearing is closed.

#### **NARD REPORT**

There was no NARD report.

#### **COMMITTEE REPORTS**

**Executive Committee:** Thorburn reviewed the committee recommendations. The committee met with LRNRD's Executive Committee to discuss partnering in a Platte Republican Basin diversion project. The next steps will be to talk with an engineering company about a design and talking with landowners.

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** Thorburn mentioned Jon Munter resigned, so TBNRD is advertising for a Land Resources Technician. Olsen encouraged staff and directors to complete the electronic managers evaluation.

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

**MONTHLY REPORTS**

**Republican Basin (NRRMDA):** August 18<sup>th</sup>, 2015, in Cambridge there will be a Basin-Wide Management Plan Stakeholder's meeting.

**Platte Basin:** The Land Advisory Committee will meet August 12, 2015.

**South Dry Creek:** Cattail spraying being done.

**Sacramento Creek:** Cattail spraying being done.

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

**Fort Kearny West:** Cattail spraying being done.

**Fort Kearny:** Cattail spraying being done.

**North Dry Creek:** Cattail spraying being done.

**Whiskey Slough:** Cattail spraying being done.

**Odessa IPA:** Cattail spraying being done.

**Lake Seldom:** Andy Bishop, RBJV, made a presentation on various RBJV restoration projects and options for new environmental trust funding for Lake Seldom. Bishop asked TBNRD to sponsor the NET grant for Lake Seldom. Moved by Raffety, seconded by Larson to sponsor the NET grant for Lake Seldom and the Rainwater Basin Joint Venture. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**CoHyst/Platte Basin Coalition:** CoHyst will meet August 12, 2015.

**Sand Creek/Little Blue Basin:** A meeting with Minden will be held August 20, 2015 to discuss the groundwater management rules changes with landowners and the management plan with LBNRD.

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

**CNPPID:** Ford reported Lake McConaughay is at elevation 3261.7 and 94% capacity.

**UNFINISHED BUSINESS**

**Consider Additional 1% levy increase for FY 2015-2016:** Moved by Lundeen, seconded by Raffety to approve an additional 1% increase to the FY 2015-2016 Levy. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**Consider Approval of NRD FY 2015-2016 Budget:** Moved by Johnson, seconded by Larson to approve the FY 2015-2016 budget as published and hold a public hearing to set the levy different from the previous year. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**Consider Approval of NRD Groundwater Rules Revisions:** Thorburn commented that the comments from CNPPID should be reviewed before considering the rules for approval. Moved by Winz, seconded by Bergstrom to table consideration of the Groundwater Management Rules and Regulations until next month. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**NEW BUSINESS**

**Accept Resignation of David Nickel as Director of Sub-District #6:** Thorburn commented that David Nickel has moved out of the district and submitted his resignation. TBNRD will advertise for a replacement for Sub-District #6. Olsen introduced Brian Petersen and Andrew Stade as applicants. The Executive Committee will interview candidates. Moved by Johnson, seconded by Winz to accept the resignation of David Nickel as director in Sub-District #6. Motion carried.

AYE: Bergstrom, Harris, Johnson, Larson, Lundeen, Olsen and Winz

NAY: Cavanaugh and Raffety

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**Schedule Public Hearing on Proposed Groundwater Quantity Phase 2 & Phase 3 Designations:** Thorburn explained that May Township in Kearney County has passed the trigger level which qualifies the township for Phase II. The entire district is included in Phase I Groundwater Quantity Management. Phase II requires that flowmeters be installed, landowners report annual water use and additional limitations are required on irrigated acre transfers. Elk Creek Township in Gosper County has passed the trigger level and qualifies for Phase III, which implements allocations and additional limitations on well spacing. Thorburn would like to schedule landowner meetings in August and public hearings in September 2015. Moved by Winz, seconded by Harris to schedule landowner meetings on Groundwater Quantity Phase II for May Township in Kearney County and Phase III Groundwater Quantity for Elk Creek Township in Gosper County and schedule hearings at the September Board meeting. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**Consider Requesting Voluntary IMP in Little Blue Basin:** Moved by Harris, seconded by Cavanaugh to request a voluntary Integrated Management Plan for the Little Blue Basin. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom

ABSENT: Bilka, Garrelts and Reynolds

**Cancel IWMS Agreement with CNPPID:** Moved by Larson, seconded by Bergstrom to cancel the Irrigation Water Management Specialist Agreement with CNPPID. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**Consider Opening New Savings Accounts for New District Sinking Funds:** Thorburn explained to the board that TBNRD sinking funds, designated for a certain purpose, need to be separate from general cash accounts. The State Auditor's Office and Tonniges and Associates agreed that placing the designated sinking funds into separate bank accounts would comply with this requirement. Lynch investigated interest rates on savings accounts and certificates of deposit, which are low. Moved by Lundeen, seconded by Raffety to open savings accounts for the designated sinking funds. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Reynolds

**PERSONNEL & LEGAL MATTERS**

There were no legal or personnel issues to discuss.

**COMMENTS AND CONCERNS**

There were no comments or concerns.

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting at 7:30 p.m. on Tuesday, September 8, 2015.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 3:05 p.m.

**DIRECTORS PRESENT**

Brian Bergstrom, Mike Cavanaugh, Ed Harris, Phyllis Johnson, Joe Larson, Brad Lundeen, Dave Olsen, Dave Raffety and Ray Winz.

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**OTHERS PRESENT**

Carie Lynch, John Thorburn, Tammy Fahrenbruch, Dave Ford, Nicole Salisbury, Lori Hagan, Ruth Nielsen, Tami Reese, Bob Ridenour, Kevin Breece, Andy Bishop, Curtis Scheele, Brian Petersen, Tom Schwarz, Brandon Jameson, Andrew Stade, Jeff Richter, Kerry Blythe, Mike Winter and Charles Brooks.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
 July 14, 2015

ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2015-08-11-01	Meeting Administration					Moved by Larson, seconded by Johnson, to approve the minutes for the July 14, 2015 Board of Directors Meeting and Special Board Meeting (as amended). Motion carried.
	2015-08-11-02	Meeting Administration					Moved by Bergstrom, seconded by Harris, to accept the July 2015 financial reports and file for audit. Motion carried.
	2015-08-11-03	Budget					Moved by Johnson, seconded Winz to approve the visa, attorney bill and CNPPID bills. Motion carried.
	2015-08-11-04	Meeting Administration					Moved by Winz, seconded Larson to approve four well decommissioning cost-share applications. Motion carried.
	2015-08-11-05	Meeting Administration					Moved by Bergstrom, seconded Lundeen to approve three NSWCP cost-share applications. Motion carried.
	2015-08-11-06	Certification & Transfers	Lilyhorn, Anderson, Miller and Mohr				Moved by Winz, seconded by Cavanaugh to approve two groundwater transfer requests (Lilyhorn and Anderson), two certified irrigated acre transfer requests (Miller and Mohr) and a well variance request for Ridenour. Motion carried.
	2015-08-11-07	Certification & Transfers	PRRIP Augmentation Well Permit				Moved by Lundeen, seconded by Bergstrom to send the PRRIP augmentation well to the Projects and Construction Committee for discussion. Motion carried.
	2015-08-11-08	Projects	Lake Seldom				Moved by Raffety, seconded by Larson to sponsor the NET grant for Lake Seldom and the Rainwater Basin Joint Venture. Motion carried.
	2015-08-11-09	Budget					Moved by Lundeen, seconded by Raffety to approve an



							additional 1% increase to the FY 2015-2016 Levy. Motion carried.
2015-08-11-10	Budget						Moved by Johnson, seconded by Larson to approve the FY 2015-2016 budget as published and hold a public hearing to set the levy different from the previous year. Motion carried.
2015-08-11-11	District Plans & Programs	Groundwater Management Rules					Moved by Winz, seconded by Bergstrom to table consideration of the Groundwater Management Rules and Regulations until next month. Motion carried.
2015-08-11-12	Directors	Nickel					Moved by Johnson, seconded by Winz to accept the resignation of David Nickel as director in Sub-District #6. Motion carried.
2015-08-11-13	District Plans & Programs	May and Elk Creek Township GW Mgmt.					Moved by Winz, seconded by Harris to schedule landowner meetings on Groundwater Quantity Phase II for May Township in Kearney County and Phase III Groundwater Quantity for Elk Creek Township in Gosper County and schedule hearings at the September Board meeting. Motion carried.
2015-08-11-14	District Plans & Programs	LBIMP					Moved by Harris, seconded by Cavanaugh to request a voluntary Integrated Management Plan for the Little Blue Basin. Motion carried.
2015-08-11-15	Agreements	IWMS					Moved by Larson, seconded by Bergstrom to cancel the Irrigation Water Management Specialist Agreement with CNPPID. Motion carried.
2015-08-11-16	Budget	Sinking Fund Savings					Moved by Lundeen, seconded by Raffety to open savings accounts for the designated sinking funds. Motion carried.