

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, January 12, 2016, 1:30 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 Vice Chairman Brad Lundeen, at 1:30 p.m. Lundeen noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with eleven directors present: Bergstrom, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen, Raffety, Reynolds, Ryan and Winz. Bilka and Olsen were absent. 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

Moved by Raffety, seconded by Winz, to excuse Phyllis Johnson from the November and December 2015 Board Meetings. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Harris, Larson, Lundeen, Raffety, Reynolds, Ryan and Winz
NAY: None

ABSTAIN: Johnson

ABSENT: Bilka and Olsen

MINUTES

Thorburn presented the minutes of the December 10, 2015, Board of Directors Meeting and December 16, 2015 Joint Meeting with CNPPID. Moved by Bergstrom, seconded by Larson, to approve the minutes for the December 10, 2015 Board of Directors Meeting. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

Moved by Cavanaugh, seconded by Garrelts, to approve the minutes for the December 16, 2015 Joint Meeting with CNPPID. Motion carried unanimously.

FINANCIAL REPORT

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

| | |
|--|--------------|
| Accrual Expenditures for Month | \$71,280.46 |
| Cash Expenditures for Month..... | \$77,514.15 |
| Accrual Revenues for Month..... | \$31,377.51 |
| - | |
| Cash Revenues for Month..... | \$21,917.52 |
| Bank Balance—December 31, 2015..... | \$221,854.67 |
| Accounts Receivable – December 31, 2015..... | \$9,899.63 |
| Investments – Pinnacle Bank – December 31, 2015..... | \$50,079.04 |
| - | |
| Building Sinking Fund – December 31, 2015..... | \$70,004.53 |
| - | |
| Vehicle Sinking Fund – December 31, 2015..... | \$49,940.64 |
| - | |
| Water Resources Fund – December 31, 2015..... | \$150,009.70 |
| Whiskey Slough IPA Balance – December 31, 2015..... | \$18,306.59 |

| | |
|---|-------------|
| Fort Kearny-West IPA Balance – December 31, 2015----- | \$10,608.23 |
| - | |
| South Dry Creek IPA Balance – December 31, 2015----- | \$12,452.78 |
| Fort Kearny IPA Balance – December 31, 2015----- | \$11,371.59 |
| North Dry Creek IPA Balance – December 31, 2015----- | \$15,643.80 |

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|---|-------------|
| Sacramento Creek IPA Balance – December 31, 2015----- | \$21,969.96 |
| Water Jamboree – December 31, 2015----- | \$5,555.42 |
| - | |
| NRRMDA – December 31, 2015----- | \$7,624.66 |
| Odessa IPA – December 31, 2015----- | \$7,227.32 |

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

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

SPECIAL BILLS

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

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

NRCS REPORT

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

Activity and Progress Report: Curtis Scheele reported staff has been working on ranking EQIP applications.

COST SHARE REPORT

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

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

NSWCP & NRD Applications – Thorburn recommended five NSWCP and one TBNRD cost-share application for approval. Reynolds ask that a landowner with cost-share for pipeline to a pivot and flowmeter made informed that he can get cost-share for the flowmeter separately, prior to approval for the pipeline. Moved by Raffety, seconded Ryan to approve three NSWCP and one TBNRD cost-share. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented four certified irrigated acre transfer requests for Pat and Cathy Ebmeier, David Nelson, and City of Minden (2). Thorburn presented a correction to certified irrigated acres for Jesse DeBoer and a request to modify well pumping for the City of Minden. Pat Ebmeier, George Joyce and Jesse DeBoer were present to answer questions.

Moved by Reynolds, seconded by Larson to approve four certified irrigated acre transfer requests for Pat and Cathy Ebmeier, David Nelson and the City of Minden (2), a correction to certified irrigated acres for Jesse DeBoer and a request to modify well pumping for the City of Minden. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka 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. Ryan Lutkemeier, Terry Sorensen and Andy Tomsen commented on May Township’s potential Phase II designation. Bob Dahlgren commented on CNPPID’s planned canal lining.

UNFINISHED BUSINESS

Consider Designating May Township Phase II for Groundwater Quantity Management:

There was discussion about Little Blue NRD’s groundwater management policy and alternatives for placing May Township into Phase II Groundwater Quantity Management. Landowners expressed concern that Phase II would lead directly to Phase III. Thorburn explained the requirements of Phase II which are no irrigated acre transfers into May Township and flowmeter requirement. Thorburn reviewed the most current groundwater levels. Thorburn proposed a draft policy for coordinating groundwater management in the Little Blue Basin which stated that “TBNRD will only allocate groundwater pumping in Phase III Groundwater Quantity Management Areas in the Little Blue Basin portion of the district in conjunction with allocations set by the Little Blue NRD on adjacent townships in Adams County.” There was discussion about differing policies for the different basins. Reynolds asked that the proposed policy be included in the agenda for the Board Work Session on February 9, 2016 and to get legal counsel to give an opinion.

Moved by Reynolds, seconded by Garrelts to put May Township in Kearney County into Phase II Groundwater Quantity Management Area, effective for the 2016 irrigation season. Motion carried.

AYE: Bergstrom, Garrelts, Johnson, Harris, Larson, Reynolds and Winz

NAY: Cavanaugh, Lundeen, Raffety and Ryan

ABSTAIN: None

ABSENT: Bilka and Olsen

Moved by Johnson, seconded by Bergstrom to adopt the following policy: “TBNRD will only allocate groundwater pumping in Phase III Groundwater Quantity Management Areas in the Little Blue

Basin portion of the district in conjunction with allocations set by the Little Blue NRD on adjacent townships in Adams County.” Motion withdrawn.

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IWMS Update (Curtis Scheele): Curtis Scheele reported on IWMS activities for 2015. There was discussion about funding targeted for the Ogallala Aquifer.

Renew Agreement with NARD for Tree Program

Moved by Winz, seconded by Harris to approve the Interlocal Agreement with NARD for Trees. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

NARD REPORT

Appoint Delegate and Alternate Delegate for Legislative Conference: Moved by Reynolds, seconded by Raffety to designate Dave Raffety as Delegate and Larry Reynolds as Alternate Delegate for the NARD Legislative Conference on January 26th and 27th, 2016. Motion carried.

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

NAY: None

ABSTAIN: Raffety

ABSENT: Bilka and Olsen

COMMITTEE REPORTS

Joint Committee: Thorburn reviewed the minutes from the Joint Meeting with CNPPID on December 16, 2015. The meeting also included the Executive Committee from LRNRD because of the Platte-Republican Diversion Project. Long-term high flow diversion agreements, canal lining and J-2 Re-Regulation Reservoir were discussed at the joint meeting.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There was nothing to report.

Out-of-State Travel: Thorburn said he didn't have the dates available for the Washington DC conference yet.

MONTHLY REPORTS

Republican Basin (NRRMDA): The Republican Basin IMP meeting will be held Tuesday, January 19, 2016 in Cambridge. Johnson and Winz will attend.

Platte Basin: NDNR is requesting a list stakeholder's for the Platte Basin IMP. Thorburn asked directors to submit candidates by February 3, 2016.

South Dry Creek: Annual meetings with landowners will be held in February.

Sacramento Creek: Annual meetings with landowners will be held in February.

Middle Lost Creek: Nothing to report.

Fort Kearny West: Annual meetings with landowners will be held in February.

Fort Kearny: Annual meetings with landowners will be held in February.

North Dry Creek: Annual meetings with landowners will be held in February.

Whiskey Slough: Annual meetings with landowners will be held in February.

Odessa IPA: Annual meetings with landowners will be held in February.

Lake Seldom: Management Plan is being updated.

CoHyst/Platte Basin Coalition: The Platte Basin Coalition will meet Wednesday, February 3, 2016 in North Platte. CoHyst will meet January 19, 2016.

Sand Creek/Little Blue Basin: Stakeholders and facilitators are needed for the Little Blue Basin IMP.

Platte-Republican Diversion: LRNRD met with landowners in Oxford on January 5, 2016 and the Interlocal group will meet January 21, 2016 in Alma.

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

CNPPID: Ford reported Lake McConaughay is at elevation 3254.9 ft.

NEW BUSINESS

Schedule Board Work Session: The Board work session was schedule for February 9, 2016 at 9:30 a.m.

COMMENTS AND CONCERNS

There were no comments and concerns.

PERSONNEL & LEGAL MATTERS

Moved by Johnson, seconded by Harris to move to executive session for the protection of the public to discuss legal issues at 3:23 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

Moved by Winz, seconded by Raffety to move out of executive session for the protection of the public to discuss legal issues at 3:50 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

Moved by Garrelts, seconded by Bergstrom to approve out-of-state travel for the Washington DC Conference in March 2016 for four directors. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka and Olsen

NEXT BOARD MEETING

TBNRD Regular Board Meeting at 1:30 p.m. on Tuesday, February 9, 2016.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:10 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Cavanaugh, Todd Garrelts, Ed Harris, Phyllis Johnson, Joe Larson, Brad Lundeen, Dave Olsen, Dave Raffety, Larry Reynolds, Jeff Ryan and Ray Winz.

OTHERS PRESENT

Carie Lynch, John Thorburn, Nicole Salisbury, Dave Ford, Lisa Berkeypile, Joyce Bassett, Curtis Scheele, George Joyce, Andy Tomsen, Greg Jorgensen, Richard Jacobsen, Andy Raun, Ryan Lutkemeier, Scott Jorgensen, Jerry Lutkemeier, John Kuehn, Kevin Raun, Pat Ebmeier, Jesse DeBoer, Terry Sorensen, Tammy Fahrenbruch, Lori Potter, and Bob Dahlgren.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 January 12, 2016

| ID | Motion # | Category | Subject | Aye | Nay | Abs | Motion |
|-----------|-----------------|----------------------------|---|------------|------------|------------|--|
| | 2016-01-12-01 | Meeting Administration | | 10 | | 1 | Moved by Raffety, seconded by Winz, to excuse Phyllis Johnson from the November and December 2015 Board Meetings. Motion carried. |
| | 2016-01-12-02 | Meeting Administration | | 11 | | | Moved by Bergstrom, seconded by Larson, to approve the minutes for the December 10, 2015 Board of Directors Meeting. Motion carried. |
| | 2016-01-12-03 | Meeting Administration | | | | | Moved by Cavanaugh, seconded by Garrelts, to approve the minutes for the December 16, 2015 Joint Meeting with CNPPID. Motion carried unanimously. |
| | 2016-01-12-04 | Budget | | 11 | | | Moved by Johnson, seconded by Garrelts, to accept the December 2015 financial reports and file for audit. Motion carried. |
| | 2016-01-12-05 | Budget | | 11 | | | Moved by Reynolds, seconded Johnson to approve the visa, CNPPID and attorney bills. Motion carried. |
| | 2016-01-12-06 | Meeting Administration | | 11 | | | Moved by Winz, seconded Larson to approve three well decommissioning cost-share applications. Motion carried. |
| | 2016-01-12-07 | Meeting Administration | | 11 | | | Moved by Raffety, seconded Ryan to approve three NSWCP and one TBNRD cost-share. Motion carried. |
| | 2016-01-12-08 | Certifications & Transfers | Ebmeier, Nelson, City of Minden, DeBoer | 11 | | | Moved by Reynolds, seconded by Larson to approve four certified irrigated acre transfer requests for Pat and Cathy Ebmeier, David Nelson and the City of Minden (2), a correction to certified irrigated acres for Jesse DeBoer and a request to modify well pumping for the City of |

| | | | | | | | |
|---------------|---------------------------|--------------------------------|-----|-----|-----|--|---|
| | | | | | | | Minden. Motion carried. |
| 2016-01-12-09 | Policies – By-Laws | May Township Phase II Quantity | 7 | 4 | | | Moved by Reynolds, seconded by Garrelts to put May Township in Kearney County into Phase II Groundwater Quantity Management Area, effective for the 2016 irrigation season. Motion carried. |
| 2016-01-12-10 | District Plans & Programs | Motion Withdrawn | N/A | N/A | N/A | | Moved by Johnson, seconded by Bergstrom to adopt the following policy: “TBNRD will only allocate groundwater pumping in Phase III Groundwater Quantity Management Areas in the Little Blue Basin portion of the district in conjunction with allocations set by the Little Blue NRD on adjacent townships in Adams County.” Motion withdrawn. |
| 2016-01-12-11 | Agreements | NARD Trees | 11 | | | | Moved by Winz, seconded by Harris to approve the Interlocal Agreement with NARD for Trees. Motion carried. |
| 2016-01-12-12 | Directors | | 10 | | 1 | | Moved by Reynolds, seconded by Raffety to designate Dave Raffety as Delegate and Larry Reynolds as Alternate Delegate for the NARD Legislative Conference on January 26 th and 27 th , 2016. Motion carried. |
| 2016-01-12-13 | Meeting Administration | | 11 | | | | Moved by Johnson, seconded by Harris to move to executive session for the protection of the public to discuss legal issues at 3:23 p.m. Motion carried. |
| 2016-01-12-14 | Meeting Administration | | 11 | | | | Moved by Winz, seconded by Raffety to move out of executive session for the protection of the public to discuss legal issues at 3:50 p.m. Motion carried. |
| 2016-01-12-15 | Meeting Administration | | 11 | | | | Moved by Garrelts, seconded by Bergstrom to approve out-of-state travel for the Washington DC Conference in March 2016 for four directors. Motion carried. |

