

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, November 13, 2012, 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 Chairman David Nickel, at 1:30 p.m. Nickel noted Public Meeting Law is posted in the boardroom.

**ROLL CALL**

Roll call was taken with eight directors present: Bergstrom, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds. Bilka arrived at 1:39 p.m. Johnson, Lundeen, Nelson and Winz 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**

Moved by Garrelts, seconded by Raffety, to excuse Harris from the September and October 2012 Board Meetings. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: Harris

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

**MINUTES**

Nickel presented the minutes of the October 9, 2012 Board of Director's Meeting and October 26, 2012 ad hoc CNPPID Committee Meeting.

Moved by Reynolds, seconded by Raffety, to approve the minutes for the October 9, 2012 Board of Directors Meeting. Motion carried.

AYE: Garrelts, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: Harris, Bergstrom and Larson

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

Moved by Lundeen, seconded by Raffety, to approve the minutes for the October 26, 2012 ad hoc CNPPID Committee meeting. Motion carried unanimously.

**FINANCIAL REPORT**

Garrelts presented the financial report for the month of October 2012 as follows:

Accrual Expenditures for Month -----	\$55,046.56
Cash Expenditures for Month-----	\$61,499.03
Accrual Revenues for Month-----	\$29,317.88
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Cash Revenues for Month-----	\$31,366.41
Bank Balance—October 31, 2012-----	\$226,751.05
Accounts Receivable – October 31, 2012-----	\$15,471.19
Investments – October 31, 2012-----	\$0
Investments – Pinnacle Bank – October 31, 2012-----	\$1,002,305.5
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Whiskey Slough IPA Balance – October 31, 2012-----	\$17,880.31
Fort Kearny-West IPA Balance – October 31, 2012-----	\$6,693.55
South Dry Creek IPA Balance – October 31, 2012-----	\$8,674.08
Fort Kearny IPA Balance – October 31, 2012-----	\$11,989.09
North Dry Creek IPA Balance – October 31, 2012-----	\$16,290.33

Sacramento Creek IPA Balance – October 31, 2012----- \$22,751.87

Moved by Bergstrom, seconded by Larson, to accept the October 2012 financial reports and file for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

#### **SPECIAL BILLS**

Thorburn presented the VISA, Attorney and NRRMD bills for approval. Garrelts asked for more detailed information on the NRRMDA billing. Moved by Garrelts, seconded by Harris to approve the visa and attorney bills. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

Moved by Garrelts, seconded by Bilka to approve the NRRMD bill. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

#### **NRCS REPORT**

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

**Activity and Progress Report:** Breece reported staff has been working EQIP emergency payments and CSP.

#### **COST SHARE REPORT**

**Well Abandonment** – Thorburn presented twenty-three well decommissioning cost-share applications for approval. Moved by Larson, seconded by Garrelts to approve well decommissioning cost-share applications #39-#61. Motion carried.

AYE: Garrelts, Harris, Larson, Nickel, Olsen and Raffety

NAY: None

ABSTAIN: Bergstrom and Reynolds

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

**NSWCP & NRD Applications** – Thorburn presented four NSWCP cost-share applications and one amendment for George Fong. Moved by Raffety, seconded by Garrelts to approve four NSWCP Cost-share applications and one amendment. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Johnson, Lundeen, Nelson and Winz

#### **GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – Thorburn presented seven irrigated acre transfer requests (LC Jacobson Farms, Inc., Randy Dingwell/Heather Putnam, Dean Weissert, Vernon

Hueftle, Kent Hansen, Franklin Carlson and TU Farms). Carroll Hansen, Tye Carlson, Vernon Hueftle and Trevor Urbom were present to answer questions.

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Moved by Garrelts, seconded by Reynolds to approve irrigated acre transfer requests for LC Jacobson Farms, Inc., Randy Dingwell/Heather Putnam, Dean Weissert, Vernon Hueftle, Kent Hansen, Franklin Carlson and TU Farms. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Johnson, Lundeen, Nelson and Winz

**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. Russ Edeal commented that allowing landowner to retain surface water rights and if possible, use leftover surface water for offset credit might be a workable alternative to the proposal from Central Platte NRD and Twin Platte NRD to enable CNPPID customers to pump groundwater in exchange for surrendering their surface water rights. Edeal stressed the importance of informing the public of different options in addition to retiring surface water rights.

#### **UNFINISHED BUSINESS**

**Accept Bids for Sand Creek Reservoir Final Design from EA Associates:** Thorburn explained two companies initially bid on Sand Creek Recharge Reservoir design work: EA Associates and Olsson and Associates. Thorburn asked for revised bids to include a road structure on the dam, which will be paid by Kearney County. Thorburn explained the differences between the two bids. The lowest bid was from EA Associates (\$92,020 including KE County's portion). Kearney County committed to pay their portion of the design work (\$12,620). The project is budgeted this fiscal year. Nickel commented that one of the landowners is concerned about dividing his pivoted ground. Reynolds expressed concern about making sure TBNRD can obtain the water right before spending money for design work and proposed Blankenau examine the issue. There was discussion about maintenance costs. Thorburn will contact EA Associates to attend to the December board meeting to explain the water right process for the dam. Moved by Reynolds seconded by Raffety to accept the revised EA Associates Bid for \$92,020 including Kearney County's share of \$12,620. Motion amended and tabled.

Moved by Reynolds seconded by Raffety to amend the previous motion to first apply for an Impound Water and Storage Use Right (working with EA Consulting and Blankenau) and when approved, proceed with the design work. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Johnson, Lundeen, Nelson and Winz

Moved by Reynolds seconded by Garrelts to table the following motion until the December 2012 Board meeting: "To accept the revised EA Consulting Bid for \$92,020 including Kearney County's share of \$12,620 but to first apply for an Impound Water and Storage Use Right (working with EA Consulting and Blankenau) and when approved, proceed with the design work." Motion carried.

AYE: Bergstrom, Bilka, Harris, Larson, Nickel, Olsen and Reynolds

NAY: Garrelts and Raffety  
ABSTAIN: None  
ABSENT: Johnson, Lundeen, Nelson and Winz

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**Tree and Flag Prices for 2013:** Thorburn explained that he reviewed tree and flag prices. Prices for mulch and installation were adequate, but suggested tree prices increase from .60/tree to .65/tree

and flag prices increase from \$6/bundle to \$7.50/bundle. Moved by Garrelts seconded by Bilka to raise flag prices from \$6/bundle to \$7.50/bundle and to raise handout tree prices from .60/tree to .65/tree. Motion carried.

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

#### **NARD REPORT**

**NARD:** Nothing to report.

#### **COMMITTEE REPORTS**

**Joint CNPPID Committee:** Thorburn explained a new draft of the agreement was developed and CNPPID is reviewing it.

#### **STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** There were no staff reports to review.

**Out-of-State Travel:** Moved by Reynolds, seconded by Raffety to approve out-of-state travel for Nelson, Nickel and Olsen to go to GMDA Conference in Austin, TX on January 9-11, 2013. Motion carried.

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

#### **MONTHLY REPORTS**

**Republican Basin (NRRMD):** NRRMD will meet November 16, 2012 in Imperial.

**Platte Basin:** PBHEP and Platte Basin Coalition will meet in North Platte on November 29, 2012.

**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:** : Survey work was done.

**Whiskey Slough:** : Nothing to report.

**Lake Seldom:** Hay from Lake Seldom will be donated to ranchers in northern Nebraska.

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**CoHyst/Platte Basin Coalition:** CoHyst work group estimates model could be done in six months.

**Weed Management Areas – Riparian Vegetation Task Force:** Nothing to report.

**Sand Creek/Little Blue Basin:** Discussed earlier.

**CNPPID:** Ford reported Lake McConaughay is at elevation 3237.5.

**NEW BUSINESS**

**Assist MPS with Outdoor Classroom:** Thorburn explained that Minden Public Schools is asking for help maintaining the outdoor classroom and asked Tri-Basin to provide help. Tri-Basin could fill an immediate need by purchasing a new aerator for the pond, but no cost estimate is available. Thorburn suggested staff could look for grant funding for the project. Raffety suggested the Information and Education Committee look at the issue. Moved by Olsen, seconded by Garrelts to have the Information and Education Committee discuss the issue of providing assistance to Minden Public Schools for the outdoor classroom. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Johnson, Lundeen, Nelson and Winz

**Initiate Phase II of North Dry Creek Augmentation Project:** Thorburn explained it was necessary to run the 1<sup>st</sup> NDC Augmentation well under full electrical load control (compensating advantage is reducing the depletions to the stream). Thorburn explained land rights have been secured and three-phase power is available for the 2<sup>nd</sup> North Dry Creek Streamflow Augmentation well, but the project is budgeted for next fiscal year. There was discussion about funding for the project. The bidding process could be started and drilling schedules could put the project into next FY. Thorburn will approach the Platte Basin Coalition to inquire about funding. Moved by Reynolds, seconded by Raffety to proceed with Phase II of the North Dry Creek Streamflow Augmentation Well Project by starting the bidding process. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Johnson, Lundeen, Nelson and Winz

**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 2:58 p.m. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Johnson, Lundeen, Nelson and Winz

Moved by Garrelts, seconded by Raffety to move out of executive session for the protection of the public to discuss contractual matters at 3:38 p.m. Motion carried.

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AYE: Bergstrom, Bilka, Garrelts, Harris, Larson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Johnson, Lundeen, Nelson and Winz

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held on Tuesday, December 11, 2012 at 1:30 p.m., at Tri-Basin NRD.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 3:42 p.m.

**DIRECTORS PRESENT**

Brian Bergstrom, Joe Bilka, Todd Garrelts, Ed Harris, Joe Larson, David Nickel, Dave Olsen, Dave Raffety and Larry Reynolds.

**OTHERS PRESENT**

Carie Lynch, John Thorburn, Nicole Salisbury, Kevin Breece, Tammy Fahrenbruch, Russ Edeal, Carroll Hansen, Tye Carlson, Vernon Hueftle, Lori Potter, Trevor Urbom, Charles Brooks, Dave Ford and Nolan Little.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
TRI-BASIN NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
November 13, 2012

Motion #	Category	Subject	Aye	Nay	Abs	Motion
2012-11-13-01	Meeting Administration		7		1	Moved by Garrelts, seconded by Raffety, to excuse Harris from the September and October 2012 Board Meetings. Motion carried.
2012-11-13-02	Meeting Administration		5		3	Moved by Reynolds, seconded by Raffety, to approve the minutes for the October 9, 2012 Board of Directors Meeting. Motion carried.
2012-11-13-03	Meeting Administration					Moved by Lundeen, seconded by Raffety, to approve the minutes for the October 26, 2012 ad hoc CNPPID Committee meeting. Motion carried unanimously.
2012-11-13-04	Meeting Administration		8			Moved by Bergstrom, seconded by Larson, to accept the October 2012 financial reports and file for audit. Motion carried.
2012-11-13-05	Budget		8			Moved by Garrelts, seconded by Harris to approve the visa and attorney bills. Motion carried.
2012-11-13-06	Budget		8			Moved by Garrelts, seconded by Bilka to approve the NRRMD bill. Motion carried.
2012-11-13-07	Meeting Administration		6		2	Moved by Larson, seconded by Garrelts to approve well decommissioning cost-share applications #39-#61. Motion carried.
2012-11-13-08	Meeting Administration		8			Moved by Raffety, seconded by Garrelts to approve four NSWCP Cost-share applications and one amendment. Motion carried.
2012-11-13-09	Certifications & Transfers	Jacobson, Dingwell, Weissert, Hueftle, Hansen, Carlson & TU Farms	9			Moved by Garrelts, seconded by Reynolds to approve irrigated acre transfer requests for LC Jacobson Farms, Inc., Randy Dingwell/Heather Putnam, Dean Weissert, Vernon Hueftle, Kent Hansen, Franklin Carlson and TU Farms. Motion carried.
2012-11-13-10	Projects	Sand Creek	Tabled			Moved by Reynolds seconded by Raffety to accept the revised EA Associates Bid for \$92,020 including Kearney County's share of \$12,620. Motion amended and tabled.
2012-11-13-11	Projects	Sand Creek	9			Moved by Reynolds seconded by Raffety to amend the previous motion to first apply for an Impound Water and Storage Use Right (working with EA Consulting and

						Blankenau) and when approved, proceed with the design work. Motion carried.
2012-11-13-12	Projects	Sand Creek	7	2		Moved by Reynolds seconded by Garrelts to table the following motion until the December 2012 Board meeting: "To accept the revised EA Consulting Bid for \$92,020 including Kearney County's share of \$12,620 but to first apply for an Impound Water and Storage Use Right (working with EA Consulting and Blankenau) and when approved, proceed with the design work." Motion carried.
2012-11-13-13	District Plans & Programs	Handout trees & flag price increase	9			Moved by Garrelts seconded by Bilka to raise flag prices from \$6/bundle to \$7.50/bundle and to raise handout tree prices from .60/tree to .65/tree. Motion carried.
2012-11-13-14	Meeting Administration		7		2	Moved by Reynolds, seconded by Raffety to approve out-of-state travel for Nelson, Nickel and Olsen to go to GMDA Conference in Austin, TX on January 9-11, 2013. Motion carried.
2012-11-13-15	Educational & Awards	MPS Outdoor Classroom	9			Moved by Olsen, seconded by Garrelts to have the Information and Education Committee discuss the issue of providing assistance to Minden Public Schools for the outdoor classroom. Motion carried.
2012-11-13-16	River Basins	NDC SF Aug. Site #2	9			Moved by Reynolds, seconded by Raffety to proceed with Phase II of the North Dry Creek Streamflow Augmentation Well Project by starting the bidding process. Motion carried.
2012-11-13-17	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 2:58 p.m. Motion carried.
2012-11-13-18	Meeting Administration		9			Moved by Garrelts, seconded by Raffety to move out of executive session for the protection of the public to discuss contractual matters at 3:38 p.m. Motion carried.