

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, May 8, 2012, 7:30 p.m.**  
**Tri-Basin Natural Resources District**

**CALL TO ORDER**

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Chairman Dave Nickel, at 7:34 p.m. Nickel noted Public Meeting Law is posted in the boardroom. A reception to honor Director Dick Helms for eighteen years of service was held prior to the meeting.

**ROLL CALL**

Roll call was taken with twelve directors present: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz. Bergstrom was 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**

Nickel presented the minutes of the April 10, 2012 Public Hearing and Regular Board of Director's Meeting and minutes from the April 3, 2012 Joint CNPPID/TBNRD Committee meeting and minutes of the April 10, 2012 Planning Committee.

Moved by Johnson, seconded by Raffety, to approve the minutes for the April 10, 2012 Hearing and Regular Board of Directors Meeting. Motion carried.

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

NAY: None

ABSTAIN: Garrelts

ABSENT: Bergstrom

Moved by Reynolds, seconded by Garrelts, to approve the minutes for the April 3, 2012 Joint CNPPID/TBNRD Committee meeting. Motion carried unanimously

Moved by Helms, seconded by Larson, to approve the minutes for the April 10, 2012 Planning Committee meeting. Motion carried unanimously

**FINANCIAL REPORT**

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

Accrual Expenditures for Month -----	\$68,133.41
Cash Expenditures for Month-----	\$66,606.62
Accrual Revenues for Month-----	\$43,872.35
Cash Revenues for Month-----	\$36,398.08
Bank Balance--April 30, 2012-----	\$23,558.51
Accounts Receivable - April 30, 2012-----	\$21,540.06
Investments - April 30, 2012-----	\$203.55
Investments - Pinnacle Bank - April 30, 2012-----	\$1,022,985.52
Whiskey Slough IPA Balance - April 30, 2012-----	\$17,450.21
Fort Kearny-West IPA Balance - April 30, 2012-----	\$6,258.45
South Dry Creek IPA Balance - April 30, 2012-----	\$8,507.58
Fort Kearny IPA Balance - April 30, 2012-----	\$12,423.42
North Dry Creek IPA Balance - April 30, 2012-----	\$16,387.90
Sacramento Creek IPA Balance - April 30, 2012-----	\$31,634.55

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

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

**SPECIAL BILLS**

Thorburn presented the VISA, attorney, Anderson Brothers, CPNRD (stream bed conductivity) and Upper Republican NRD bills for approval. Thorburn mentioned that a presentation will be given on the Streambed Conductivity Study.

Moved by Garrelts, seconded by Lundeen to approve the URNRD bill. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Johnson, seconded by Garrelts to approve the attorney bill. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Reynolds, seconded by Olsen to approve the CPNRD (stream bed conductivity) bill. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

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

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Garrelts, seconded by Winz to approve the Anderson Brothers Phase I bill. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

#### NRCS REPORT

**FSA Farm Plans:** Breece presented twelve farm plans for approval: Scott Haussler, Irvin Walbridge, Evans Farms LLC, Crum Creek, Dan Dickau, Delp & Sons, Joel Schutz (4), and Red Willow Farms (2). Moved by Reynolds, seconded by Garrelts to approve farm plans Scott Haussler, Irvin Walbridge, Evans Farms LLC, Crum Creek, Dan Dickau, Delp & Sons, Joel Schutz (4), and Red Willow Farms (2). Motion carried.

AYE: Garrelts, Helms, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: Harris and Johnson

ABSTAIN: None

ABSENT: Bergstrom

**Activity and Progress Report:** Breece presented the 2012 contract totals and fund dollars. A total of 82 EQIP, AWEPP and CSP contracts were approved totaling over \$1.8 million dollars.

#### COST SHARE REPORT

**Well Abandonment** – Holloway presented seven well decommissioning cost-share applications to approve. Moved by Winz, seconded by Harris to approve well decommissioning cost-share applications #84-#90. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

**NSWCP & NRD Applications** – Thorburn presented two NSWCP applications and six Conservation Tree Planting Cost-Shares. Moved by Garrelts, seconded by Larson to approve two NSWCP cost-share applications and six tree planting/windbreak cost-shares. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

#### GROUNDWATER MANAGEMENT

**Groundwater & Certified Acre Transfers** – Thorburn presented three irrigated acre transfer requests for Casey Kerr & Kathy Miller and Agee Partners (2). John Anders and Ron Nelson were present to answer questions.

Moved by Raffety, seconded by Olsen to approve certified irrigated transfer requests for Casey Kerr & Kathy Miller and Agee Partners (2). Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

**New Well Variances** – There were no well variances to approve.

**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**

**Discuss Opportunities to Retain Land Enrolled in Conservation Corners (John Laux):** John Laux, NGPC in Alma, NE, was present to talk about the EQIP Special Initiative Conservation Corners Contracts which will expire this fall and next spring. Laux is trying to find a replacement program to keep the contracts in habitat. Several landowners have contacted him to extend the contracts, but are mainly interested in five year contracts. The contracts can't re-enroll in EQIP but continuous CRP (SAFE) or CREP might be an option. NGPC has funding available for habitat that allows walk-in access and incentives for establishment. Thorburn explained that TBNRD might be interested in funding the project if there were water savings that could be claimed as offset and suggested Laux meet with the Projects & Construction Committee. Thorburn mentioned Pheasants Forever could also be a partner.

Laux mentioned that NGPC has one active Nebraska WILD contract with TBNRD. Laux explained there is funding available for Nebraska WILD Contracts.

**Consider Approval of NDNR/TBNRD Joint IMP for the Republican Basin Portion of TBNRD:** Thorburn explained the final step prior to approval of the IMP by TBNRD is consultation with NDNR to review public hearing comment. CNPPID expressed concern about land in the Republican Basin to which they deliver water being administered the same as other acres in that basin. NDNR Surface Water Administration was contacted and explained that because the surface water was from the Platte Basin, it would be administered with other Platte Basin surface water. Thorburn mentioned the NGPC finding of "No Effect". Moved by Helms seconded by Reynolds that after consulting with the Nebraska Department of Natural Resources staff and giving due consideration to comments and observations of stakeholders presented during the public hearing on the Joint Integrated Water Resources Management Plan for the Republican Basin portion of Tri-Basin Natural Resources District (joint IMP) on April 10, 2012 held at this location, the Tri-Basin NRD board of directors hereby approve the version of the joint IMP presented at said hearing and direct staff to publish necessary orders and notices that will enable the district to put the joint IMP into effect beginning July 1, 2012. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

#### **NARD REPORT**

Thorburn and Nelson will attend NRD Basin tour in June.

#### **COMMITTEE REPORTS**

**Schedule Planning and Projects & Construction Committee Meetings:** Thorburn reported the Planning Committee needs to meet to discuss adding changes to the rules and regulations from the newly adopted IMP and other directives. Thorburn set the committee meeting date on May 23,

2012 at 9:00 a.m. Thorburn scheduled a Projects and Construction Committee meeting for May 23, 2012 at noon. The Projects and Construction Committee will discuss options to retain conservation corners, the buildings sewer problem and carpet. Raffety suggested an IPA report be given and Nelson suggested discussing well drilling in Little Blue NRD. Thorburn mentioned unfinished business with Sand Creek Reservoir Site #2.

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

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

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

#### **MONTHLY REPORTS**

**Republican Basin (NRRMD):** NRRMD will meet at Tri-Basin NRD on June 1, 2012. Thorburn mentioned he will be attending in the KS vs. NE trial in Maine in August 2012 but doesn't know the exact date yet.

**Platte Basin:** Thorburn attended one of the last PBHEP meetings, which will become a new group: Platte Basin Water Management Action Initiative. A new agreement will be presented and a TBNRD delegate will be needed. Thorburn noted a temperature gauge will be installed in the NDC SF stream gauge.

**South Dry Creek:** Bank spraying has been done.

**Sacramento Creek:** Bank spraying has been done.

**Middle Lost Creek:** Bank spraying has been done.

**Fort Kearny West:** Bank spraying has been done.

**Fort Kearny:** Bank spraying has been done.

**North Dry Creek:** Bank spraying has been done.

**Whiskey Slough:** Culvert was installed. Bank spraying has been done.

**Lake Seldom:** OK State University will include Lake Seldom in a study measuring global warming effects on wetlands.

**CoHyst/PBHEP:** Already discussed.

**Weed Management Areas – Riparian Vegetation Task Force:** State-wide Coordinator will be funded by NRDs and counties.

**Sand Creek/Little Blue Basin:** Sand Creek Reservoir will be discussed in executive session.

**CNPPID:** Ford reported Lake McConaughay is at 82% capacity.

**NEW BUSINESS**

**Accept Resignation of Dick Helms as Director in Sub-District #1:** Lundeen and Nickel expressed thanks to Dick Helms for eighteen years of service. Moved by Lundeen, seconded by Garrelts to regretfully accept the resignation of Dick Helms as Director in Subdistrict #1. Motion carried.

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

NAY: None

ABSTAIN: Helms

ABSENT: Bergstrom and Nelson

**Discuss Process for Appointing NRD Directors:** Thorburn explained that because of new subdistrict boundaries, Phyllis Johnson now resides in subdistrict #1 and Joe Larson is in subdistrict #2. Thorburn suggested that Johnson be appointed to replace Helms in subdistrict #1 and Larson be appointed as director in subdistrict #2. Thorburn explained that he is working with legal counsel to determine publication requirements. Reynolds mentioned they would have to resign from their current subdistrict to be appointed to another district. Thorburn will ask the board to take action at the next board meeting.

**Schedule Hearing for Crop Report Violators:** Thorburn presented a list of landowners and operators that haven't turned in crop reports yet. Several directors volunteered to contact landowners/operators. Moved by Raffety, seconded by Larson to schedule a hearing on July 10, 2012 for Crop Report Violators. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

**Authorize Manager to Increase Credit Limit on Credit Card for Esther Smith:** Moved by Winz, seconded by Olsen to direct staff to request an increase in Esther Smith's credit card limit from \$1500 to \$2500. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

**PERSONNEL & LEGAL MATTERS**

Moved by Garrelts, seconded by Olsen to move to executive session for the protection of the public to discuss contractual issues at 8:45 p.m. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

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Moved by Helms, seconded by Raffety to move out of executive session for the protection of the public to discuss contractual issues.at 9:07 p.m. Motion carried.

AYE: Garrelts, Harris, Helms, Johnson, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds, Winz and Nickel

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

**COMMENTS AND CONCERNS**

There were no comments or concerns.

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held on Tuesday, June 19, 2012 at 7:30 p.m., at Tri-Basin NRD.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:15 p.m.

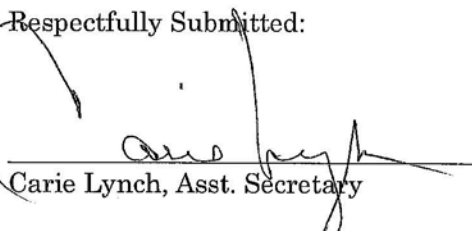
**DIRECTORS PRESENT**

Todd Garrelts, Ed Harris, Dick Helms, Phyllis Johnson, Joe Larson, Brad Lundeen, David Nelson, David Nickel, Dave Olsen, Dave Raffety, Ray Winz and Larry Reynolds.

**OTHERS PRESENT**

Carie Lynch, John Thorburn, Nicole Salisbury, Richard Holloway, Charles Brooks, Dave Ford, Kevin Breece, John Laux, John Anders and Ron Nelson.

Respectfully Submitted:

  
Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
TRI-BASIN NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
May 8, 2012

Motion #	Category	Subject	Aye	Nay	Abst	Motion
2012-05-08-01	Meeting Administration		11		1	Moved by Johnson, seconded by Raffety, to approve the minutes for the April 10, 2012 Hearing and Regular Board of Directors Meeting. Motion carried.
2012-05-08-02	Meeting Administration					Moved by Reynolds, seconded by Garrelts, to approve the minutes for the April 3, 2012 Joint CNPPID/TBNRD Committee meeting. Motion carried unanimously.
2012-05-08-03	Meeting Administration					Moved by Helms, seconded by Larson, to approve the minutes for the April 10, 2012 Planning Committee meeting. Motion carried unanimously.
2012-05-08-05	Meeting Administration		12			Moved by Raffety, seconded by Larson, to accept the April 2012 financial reports and file for audit. Motion carried.
2012-05-08-06	Budget		12			Moved by Garrelts, seconded by Lundeen to approve the URNRD bill. Motion carried.
2012-05-08-07	Budget		12			Moved by Johnson, seconded by Garrelts to approve the attorney bill. Motion carried.
2012-05-08-08	Budget		12			Moved by Reynolds, seconded by Olsen to approve the CPNRD (stream bed conductivity) bill. Motion carried.
2012-05-08-09	Budget		12			Moved by Johnson, seconded by Lundeen to approve the visa bills. Motion carried.
2012-05-08-10	Budget		12			Moved by Garrelts, seconded by Winz to approve the Anderson Brothers Phase I bill. Motion carried.
2012-05-08-11	Meeting Administration		10		2	Moved by Reynolds, seconded by Garrelts to approve farm plans Scott Haussler, Irvin Walbridge, Evans Farms LLC, Crum Creek, Dan Dickau, Delp & Sons, Joel Schutz (4), and Red Willow Farms (2). Motion carried.
2012-05-08-12	Meeting Administration		12			Moved by Winz, seconded by Harris to approve well decommissioning cost-share applications #84-#90. Motion carried.
2012-05-08-13	Meeting Administration		12			Moved by Garrelts, seconded by Larson to approve two NSWCP cost-share applications and six tree planting/windbreak cost-shares. Motion carried.
2012-05-08-14	Certifications & Transfers	Kerr, Miller and Agee Partners	12			Moved by Raffety, seconded by Olsen to approve certified irrigated transfer requests for Casey Kerr & Kathy Miller and Agee Partners (2). Motion carried.
2012-05-08-15	District Plans & Programs	Adopt Rep. Basin	12			Moved by Helms seconded by Reynolds that after consulting with the Nebraska



		Joint IMP				Department of Natural Resources staff and giving due consideration to comments and observations of stakeholders presented during the public hearing on the Joint Integrated Water Resources Management Plan for the Republican Basin portion of Tri-Basin Natural Resources District (joint IMP) on April 10, 2012 held at this location, the Tri-Basin NRD board of directors hereby approve the version of the joint IMP presented at said hearing and direct staff to publish necessary orders and notices that will enable the district to put the joint IMP into effect beginning July 1, 2012. Motion carried.
2012-05-08-16	Directors	Helms	12			Moved by Lundeen, seconded by Garrelts to regretfully accept the resignation of Dick Helms as Director in Subdistrict #1. Motion carried.
2012-05-08-17	District Plans & Programs	Crop Report Hearing	12			Moved by Raffety, seconded by Larson to schedule a hearing on July 10, 2012 for Crop Report Violators. Motion carried.
2012-05-08-18	Personnel	Smith credit card	12			Moved by Winz, seconded by Olsen to direct staff to request an increase in Esther Smith's credit card limit from \$1500 to \$2500. Motion carried.
2012-05-08-19	Meeting Administration		12			Moved by Garrelts, seconded by Olsen to move to executive session for the protection of the public to discuss contractual issues at 8:45 p.m. Motion carried.
2012-05-08-20	Meeting Administration		12			Moved by Helms, seconded by Raffety to move out of executive session for the protection of the public to discuss contractual issues.at 9:07 p.m. Motion carried.

**MINUTES OF THE TRI-BASIN NRD  
PLANNING COMMITTEE MEETING**  
Wednesday, May 23, 2012, 9:30 a.m.

**CALL TO ORDER**

The Tri-Basin Natural Resources District Planning Committee was called to order by John Thorburn at 9:45 a.m.

**ROLL CALL**

Roll call was taken with three committee members present: Phyllis Johnson, Ray Winz and Brad Lundeen (Executive Representative). Joe Larson, Brian Bergstrom and David Nelson were absent. Dick Helms, former committee chairman resigned from Board of Directors prior to this meeting. Staff present: Thorburn.

**REVIEW PROPOSED CHANGES TO TBNRD NRD RULES & REGULATIONS**

Thorburn reviewed proposed NRD rules revisions (version 2). The committee discussed the following changes:

- 1) Rule 3.5.2.2: The committee suggested adding the following: Landowners sample water at least every other year. Odd sections in odd years and even sections in even years. Coated dry fertilizer was discussed (Thorburn will get information from Cargill). The committee commented that soil types should be considered also. Lundeen suggested Ray Ward talk to the board about nitrogen inhibitors. Thorburn suggested nitrogen inhibitor wording be withheld from the rule changes, pending further investigation.
- 2) Rule 9.6: The committee discussed "pooling" certified irrigated acres to be leased by landowners. Lundeen commented that an auction could be held at certain times of the year. Thorburn commented that September could be a good auction time. Thorburn commented that landowner/tenant rental agreements need to be considered as well as lease length and basin. Property tax was discussed in reference to source and destination acres. Johnson commented that the NRD should get part of the sale proceeds as an administration fee. The committee directed Thorburn to draft a replacement for the Conservation Corners Special Initiative Plan based on pooling irrigated acres.
- 3) Rule 10.2.2.2: Johnson commented that wording be added allowing landowners to convert certified irrigated acres to livestock feedlots or confinements.
- 4) Rule 10.2.4: Thorburn reported that staff intends to spot check about five percent of irrigated acres yearly and has started the process. If staff determines that non-qualifying (or no water source) acres exist the landowner would have a year to transfer the irrigated acres from the parcel.

There was discussion about whether directors attending this meeting constitute a quorum. Lundeen determined that the executive representative is included in number of directors required for a quorum.

Moved by Johnson seconded by Winz to recommend to the board to that they review the rules as proposed by Thorburn and revised by committee. Motion carried unanimously.

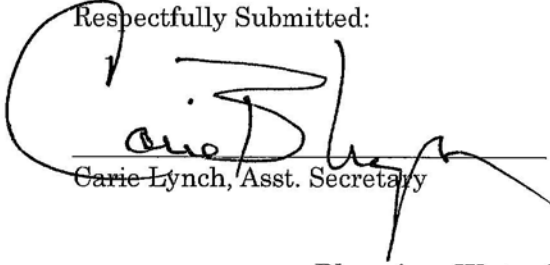
**REVIEW ANY PROPOSED CERTIFIED IRRIGATED ACRE TRANSFERS ONTO HIGHLY  
ERODIBLE SOILS**

There were no transfers to discuss.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:52 a.m.

Respectfully Submitted:



Carrie Lynch, Asst. Secretary

**Tri-Basin NRD**  
**Planning, Water Issues and Property Rights Committee**  
**Wednesday, May 23, 2012 at 9:30 AM**  
**Tri-Basin NRD Office**  
**1723 N. Burlington St.**  
**Holdrege NE**

**Agenda:**

1. Review proposed changes to Tri-Basin NRD rules and regulations
2. Review any proposed certified irrigated acre transfers onto highly erodible soils

Planning committee members: Brad Lundeen- Chairman and Exec. Com'te. Rep., Joe Larson, Brian Bergstrom, Phyllis Johnson, Dave Nelson, Ray Winz. Other board members and the public are welcome to attend.

**NOTES:**

**MINUTES OF THE TRI-BASIN NRD  
PROJECTS AND CONSTRUCTION COMMITTEE MEETING**  
Wednesday, May 23, 2012, Noon  
Tri-Basin NRD

**CALL TO ORDER**

The meeting of the Tri-Basin Natural Resources District Projects and Construction Committee was called to order by Dave Raffety at 12:16 p.m.

**ROLL CALL**

Roll call was taken with five committee members present: Raffety, Harris, Olsen, Winz and Nickel (executive representative). Larson, Nelson and Reynolds were absent.

**OTHERS PRESENT**

John Thorburn, Charles Brooks and Jim Ostgren

**DISCUSS OPTIONS FOR REPLACING CARPET IN BOARDROOM AND OTHER BUILDING  
MAINTENANCE AND IMPROVEMENT ISSUES**

Thorburn presented two carpet replacement estimates. Tri-Basin has the option to replace the entire room of carpet or a twelve foot strip the length of the room. Thorburn explained the claim adjustor is still determining what benefit the district will receive. Raffety commented that if the strip of carpet is replaced, the seam could roll and fray. Moved by Winz, seconded by Harris to recommend to the board to replace the carpet in the entire board room. Motion carried unanimously.

Thorburn mentioned money was budgeted for an architect to design a walk-in for the building. Thorburn explained ADA difficulties associated with the walk-in design. Architectural design for the walk-in will be included in the 2012-2013 budget for discussion.

**DISCUSS INCENTIVES TO LANDOWNERS FOR ENROLLING OR RE-ENROLLING LAND IN  
CONSERVATION CORNERS PROGRAM**

Thorburn presented a summary of the Conservation Corners Special Initiative Program. Thorburn mentioned that the Planning Committee discussed a water bank/pool where landowners could put certified acres, get paid a dryland rental rate and other landowners could pay for leasing the certified acres. The landowner gets paid the lease rate less any NRD fees. This would allow TBNRD to pay dryland rates for conservation plots and the leasee would pay an additional per acre fee, creating a competitive rate. There was discussion about property taxes and lease timing. Thorburn mentioned PBHEP and others could partner. Thorburn will be working on a certified irrigated acre lease program draft for committee review as directed by the Planning Committee.

**REVIEW WORK COMPLETED, IN PROGRESS AND PENDING IN DISTRICT IPA'S**

- A. **Sacramento Creek:** Thorburn reviewed work done on road ditch cleaning and bearms near the Speak Easy. Thorburn explained the road ditch cleaning was out of the county right-of-way, so IPA assessments paid for the work. Nickel was concerned with the precedent of road ditch cleaning. Thorburn explained that the Phelps County Road Department has a policy that landowners are responsible for cleaning road ditches adjacent to their property. Jim Ostgren, representing Phelps County, was present to explain a drainage problem located outside the IPA boundary to the north and west and to ask for help with drainage. The ditch needs to be cleaned out and a bridge replaced. The landowner is interested in assistance to clean out the ditch so the bridge can be installed properly by the county. There was discussion about whether the ditch could be re-routed. Thorburn commented that a 404 permit is not required because the creek doesn't drain into a major tributary, but the ox bow can't be filled in. There was discussion about previous work done on the channel and assistance provided by the NRD. The committee made no recommendation.
- B. **Whiskey Slough:** There was discussion about work on Fulmer property. Thorburn explained that a landowner filled in the old Whiskey Slough ditch, which blocked the ditch going east. Another landowner is concerned that the change will cause water to back up onto his property. TBNRD attorney, Jeff Cox, was consulted and explained that if the work done on the ditch doesn't interfere

with the purpose of the IPA ditch, then TBNRD doesn't have the legal right to require the landowner to return the ditch to its previous state. No damage has occurred from the work.

- C. **South Dry Creek:** Brooks explained that two culverts have been purchased and will be installed in the next couple of weeks, but work needs to be done before culvert can be installed near CNPPID lateral.
- D. **North Dry Creek:** Thorburn mentioned field culverts were replaced on Peterson property. The steering committee has asked for an estimate on cleaning out a portion of the ditch.

#### **CONSIDER POSSIBLE BOUNDARIES FOR PROPOSED ODESSA AND LOST CREEK IPA'S**

- A. **Odessa:** Staff is surveying to get grade line and excavation estimates. Thorburn explained the route of the ditch. Thorburn was concerned about the small size of the IPA and maintenance concerns. Nickel commented that landowners could decide if they want to do the work based on the cost which would be paid by assessments. No committee recommendation was made.
- B. **Lost Creek:** Thorburn presented a map of the proposed boundaries and asked for input from committee members. Included in the boundaries is a section of the KAAPA pipeline. Olsen suggested re-routing the ditch in the S12-T7-R16, east of Hwy 44 to gain access to the county road without needing to clear large numbers of trees. Thorburn commented that the old channel can't be filled in. Olsen questioned whether a half pivot south of 24 and S Road should be included. Thorburn will review boundary information. Raffety and Olsen suggested adding parcels on the south west side of the IPA. There was discussion about using the KAAPA pipeline to provide offset to the Platte. Legal counsel is drafting an agreement (lease back agreement probably won't work). Well location was discussed. Nickel commented he would like the process expedited. Thorburn said that TBNRD and KAAPA attorneys need to work out the agreement details so TBNRD and KAAPA's directors can meet to consider the agreement.

#### **REVIEW PROPOSALS FOR SAND CREEK RESERVIOR SITE #2 FINAL DESIGN**

Thorburn commented that negotiation have started with Chuck Tomsen. Tomsen would like to use the process of 'friendly condemnation', which is initiated by TBNRD and gives the landowner some taxes advantages and allows more time to find exchange property. There was discussion about other landowners. Kearney County has indicated they could provide assistance locating 38 Road on or near the dam. The State of Nebraska could provide some funding for land acquisition. Nickel suggested Thorburn talk to the Kearney County Board about potential funding and input on road location and economic development. Thomsen suggested a name for the reservoir based on a family name. Moved by Harris, seconded by Winz to recommend to the board that Thorburn meet with Tomsen and Kearney County Board to discuss Sand Creek Reservoir. Motion carried unanimously.

#### **OTHER BUSINESS**

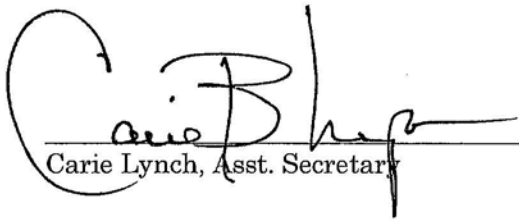
There was discussion about the J2 Reregulation Reservoir. Thorburn will present three agreements at the next board meeting: 1. Agreement between TBNRD and NDNR assigning benefits and costs of reservoir, 2. Agreement between TBNRD and Nebraska Community Foundation which allows money to pass through the foundation. 3. Agreement with Platte Basin Water Management Coalition, which is the umbrella group for the project. If the agreements are approved, in July TBNRD will be presented with a bill for \$475,000. Thorburn mentioned that TBNRD will lose four observation wells when the reservoir is built. Thorburn is asking the Platte River Recovery Program to provide replacement cost.

Raffety suggested a change be made to the By-Laws that would allow the Executive Committee to agree to participate in projects without full board approval.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 2:13 p.m.

Respectfully Submitted:



Carie Lynch, Asst. Secretary

**Tri-Basin NRD  
Projects and Construction Committee  
Wednesday, May 23, 2012 at Noon  
Tri-Basin NRD Office  
1723 Burlington St.  
Holdrege, NE**

**Agenda:**

1. Discuss options for replacing carpet in board room and other building maintenance and improvement issues
2. Discuss incentives to landowners for enrolling or re-enrolling land in Conservation Corners program
3. Review work completed, in progress and pending in district IPAs
  - A. Sacramento Creek
  - B. Ft. Kearny
  - C. Whiskey Slough
  - D. South Dry Creek
  - E. North Dry Creek
4. Consider possible boundaries for proposed Odessa and Lost Creek IPAs
5. Review proposals for Sand Creek Reservoir Site #2 Final Design

Projects and Construction committee members: David Raffety-Chairman, Joe Larson, Dave Nelson, Ed Harris, Larry Reynolds, Ray Winz, David Nickel Exec. Com'te. Rep. Other board members and the public are welcome to attend.

**NOTES:**

**JOINT WEED CONTROL COMMITTEE MEETING**  
**Tri-Basin NRD, 1723 N. Burlington St., Holdrege, Nebraska**  
**Friday, June 1, 2012, 8:30 a.m.**

**Directors in Attendance:**

Brian Bergstrom  
Joe Larson

**Others in Attendance:**

Charles Brooks  
John Thorburn

**Phelps County Supervisors in Attendance:**

Jim Ostgren

**CALL TO ORDER**

The meeting was called to order by Jim Ostgren at 8:30 a.m.

**Additions to the Agenda:** There were no additions to the agenda.

**APPROVE MINUTES**

Brooks presented the minutes from the January 13, 2012 Joint Weed Committee meeting. Moved by Bergstrom, seconded by Larson to approve the minutes of the January 13, 2012, Joint Weed Control Meeting. Motion carried unanimously.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

**Purchase Newer Roadside Spray Truck:** Brooks explained there is \$15,000 in the current weed control budget for a newer spray truck. The current truck is older with a 429 gasoline engine that uses a lot of fuel. Brooks suggested purchasing a diesel truck with air conditioning. Brooks doesn't want drivers to need to have a CDL license so the trucks spec'd are less than 26,000 lbs. Brooks presented options for several trucks from three dealers for a 2004-2005 truck. Ostgren commented that it's important to get a vehicle that's reliable, even if it's more expensive. Bergstrom suggested taking some time to physically look at some of the trucks. Ostgren will contact Phelps County Board members to get initial approval and get back to Brooks. Moved by Larson, seconded by Bergstrom to recommend to the Phelps County Board that Phelps County Weed Superintendent purchase the 2004 Freightliner from Tonniges Motors. Motion carried unanimously.

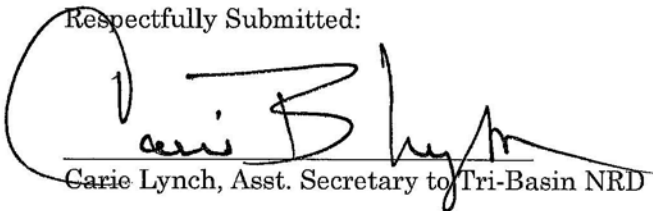
**OTHER BUSINESS**

No other business was discussed.

**ADJOURNMENT**

The meeting was adjourned at 8:49 a.m.

Respectfully Submitted:

  
Carrie Lynch, Asst. Secretary to Tri-Basin NRD

Copy to: TBNRD Board of Directors/Phelps County Board of Supervisors