

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, May 17, 2016, 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, Dave Olsen, at 7:35 p.m. Olsen noted Public Meeting Law is posted in the boardroom. Prior to the meeting opening, Thorburn opened hearings for Groundwater Management Rules and Regulations and TBNRD By-Laws.

ROLL CALL

Roll call was taken with nine directors present: Bergstrom, Harris, Johnson, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz. Larson arrived at 8:14. Bilka, Garrelts and Cavanaugh 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 Dave Olsen from the January, February, March and April 2016 Board Meetings. Motion carried.

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

NAY: None

ABSTAIN: Olsen

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

MINUTES

Thorburn presented the minutes of the April 5, 2016, Board of Directors meeting and April 8, 2016 Projects & Construction Committee meeting. Moved by Bergstrom, seconded by Johnson, to approve the minutes for the April 5, 2016 Board of Directors Meeting. Motion carried.

AYE: Bergstrom, Johnson, Harris, Lundeen, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: Olsen and Winz

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

Moved by Raffety, seconded by Harris, to approve the minutes for the April 8, 2016 Projects & Construction Committee Meeting. Motion carried unanimously.

FINANCIAL REPORT

Thorburn presented the financial report for the month of April 2016 as follows:

Accrual Expenditures for Month -----	\$127,924.80
Cash Expenditures for Month-----	\$132,667.45
Accrual Revenues for Month-----	\$78,579.51
Cash Revenues for Month-----	\$105,398.06
Bank Balance--April 30, 2016-----	\$566,303.68
Accounts Receivable - April 30, 2016-----	\$32.25
Investments - Pinnacle Bank - April 30, 2016-----	\$50,099.75
Building Sinking Fund - April 30, 2016-----	\$70,008.02
Vehicle Sinking Fund - April 30, 2016-----	\$49,943.13
Water Resources Fund - April 30, 2016-----	\$150,017.18
Whiskey Slough IPA Balance - April 30, 2016-----	\$18,308.41
Fort Kearny-West IPA Balance - April 30, 2016-----	\$11,021.49
South Dry Creek IPA Balance - April 30, 2016-----	\$13,539.24
Fort Kearny IPA Balance - April 30, 2016-----	\$11,918.25
Sacramento Creek IPA Balance - April 30, 2016-----	\$21,972.14

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North Dry Creek IPA Balance – April 30, 2016-----	\$15,965.75
Water Jamboree – April 30, 2016-----	\$7,126.91
NRRMDA – April 30, 2016-----	\$7,625.42
Odessa IPA – April 30, 2016-----	\$8,508.89

Moved by Johnson, seconded by Bergstrom to accept the April 2016 financial reports and file for audit. Motion carried.

AYE: Bergstrom, Johnson, Harris, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

SPECIAL BILLS

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

AYE: Bergstrom, Johnson, Harris, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

NRCS REPORT

FSA Farm Plans: Breece presented two farm plans for approval. Moved by Lundeen, seconded Raffety to approve farm plans for Dickmeyer and Metzger. Motion carried.

AYE: Bergstrom, Lundeen, Olsen, Raffety, Reynolds and Ryan

NAY: Harris, Johnson and Winz

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

Activity and Progress Report: Breece reported the number of CSP applications was down, James Huntworth is the new Assistant State Conservationist, staff would be staking and surveying Whiskey Slough IPA and spoke about the RBJV Tour on crop metrics.

COST SHARE REPORT

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

AYE: Bergstrom, Johnson, Harris, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

NSWCP & NRD Applications – Thorburn recommended thirteen NSWCP cost-share applications, two NSWCP amendments and five TBNRD cost-share applications for approval. Moved by Reynolds, seconded Lundeen to approve thirteen NSWCP cost-share applications and five TBNRD cost-share applications. Motion carried.

AYE: Bergstrom, Johnson, Harris, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

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Moved by Reynolds seconded by Raffety to accept the Projects & Construction Committee recommendation to keep the current NSWCP allocation percentages. Motion carried.

AYE: Bergstrom, Johnson, Harris, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented five certified irrigated acre transfer requests for Eugene Norberg (2), Wade Hartman (2) and A&K Farms, a well variance for A&K Farms and correction to certified irrigated acres for George Wehrs. Eugene Norberg and Art Marshall were present to answer questions.

Moved by Reynolds, seconded by Lundeen to approve certified irrigated acre transfer requests for Eugene Norberg (2), Wade Hartman (2) and A&K Farms, well variance for A&K Farms and correction to certified irrigated acres for George Wehrs. Motion carried.

AYE: Bergstrom, Johnson, Harris, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh, Garrelts and Larson

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

Consider Approving Revised Groundwater Management Rules (after Hearing): This item will be considered after the hearing is closed

Consider Approving Revised NRD By-Laws (after Hearing): This item will be considered after the hearing is closed.

Presentation on CPNRD Groundwater Exchange (Lyndon Vogt): Lyndon Vogt, CPNRD Manager, spoke about CPNRD's electronic groundwater pilot exchange. The "auction" type service links buyers and sellers, while taking into account CPNRD's rules and regulations and the parcel's depletion factor. The term of the transfer is one year because title searches are required for terms longer than one year. The first auction was held in March 2016 with 36 participants and the auction was able to match several sellers/buyers. The auction process was handled by a third party and will be run again in November. CPNRD and NDNR are considering options that would allow them to be buyers. Vogt answered questions about CPNRD's groundwater management rules and regulations.

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Approve FY 2016-2017 IPA Assessments: Thorburn presented proposed IPA assessments for 2017. Moved by Johnson, Seconded by Raffety to set the 2017 IPA assessments at: Fort Kearny IPA - \$.20, Ft. Kearny West IPA - \$.10, North Dry Creek IPA - \$.05, Sacramento Creek IPA - \$.00, South Dry Creek IPA - \$.15, Whiskey Slough IPA - \$.00, Odessa IPA - \$5.66. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

NARD REPORT

Reynolds reported that the NARD Risk Pool increased the rate for health insurance 6.5% and dental insurance 3.2%. Thorburn mentioned the NARD Basin Tour and GMDA Summer Conference.

COMMITTEE REPORTS

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There was nothing to report.

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

Projects & Construction Meeting: Thorburn reviewed recommendations from the Projects & Construction Committee. He mentioned he wrote a letter to NDNR asking for funding assistance for the Platte Republican Diversion. Thorburn reviewed the Scope of Work proposed by Olsson & Associates.

MONTHLY REPORTS

Republican Basin (NRRMDA): The Republican Basin Stakeholders will meet Tuesday, June 21, 2016 in Cambridge.

Platte Basin: The first IMP meeting with stakeholders will be June 16, 2016 at Monsanto in Gothenburg.

South Dry Creek: Staff will be spraying and shredding.

Sacramento Creek: Staff will be spraying and shredding.

Middle Lost Creek: Nothing to report.

Fort Kearny West: Staff will be spraying and shredding.

Fort Kearny: Staff will be spraying and shredding.

North Dry Creek: Staff will be spraying and shredding.

Whiskey Slough: Staking and surveying is scheduled.

Odessa IPA: High flows in the Platte River will be monitored.

Lake Seldom: Planned grazing has been discussed at City Council meetings. A public meeting will be held Thursday, May 19, 2017 at 7pm.

CoHyst/Platte Basin Coalition: Little Blue Basin stakeholders representing TBNRD will meet in Minden on Wednesday, May 18, 2016 at 7 p.m. Reimbursement from NDNR was received for diverting high flows and the NDC 2nd augmentation well.

Sand Creek/Little Blue Basin: Thorburn mentioned a suggestion by Mike Cavanaugh that TBNRD investigate diverting water from Phelps County Canal into Sand Creek and suggested building the connection first and then the reservoir.

Platte-Republican Diversion: This item will be discussed later in the agenda.

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

CNPPID: Ford reported Lake McConaughy is at elevation 3259 ft. and 90 % of capacity. Ford provided information about high flows.

UNFINISHED BUSINESS

Consider Approving Revised Groundwater Management Rules (after Hearing): Moved by Raffety, seconded by Bergstrom to approve proposed changes to the Groundwater Management Rules and Regulations and submit them to NDNR for review. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

Consider Approving Revised NRD By-Laws (after Hearing): Moved by Raffety, seconded by Larson to approve proposed changes to TBNRD By-Laws. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

NEW BUSINESS

CNPPID Groundwater Level Data (Ford): Ford reported on well measurement data which is gathered in the spring and fall. CNPPID measures approximately 135 wells which showed, over time, increases near Elwood Reservoir and declines in central Phelps County.

Consider Renewing Mesonet Weather Station Agreement: Thorburn reviewed the proposed agreement with the Nebraska State Climate Office for the mesonet weather station. The cost of the weather station is split with LRNRD. The State Climate Office pays for the phone service to the weather station, which previously was the responsibility of TBNRD/LRNRD. Moved by Reynolds, seconded by Raffety to approve the agreement with the Nebraska State Climate Office for the Mesonet Weather Station. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

Select Contractor for Platte-Republican Diversion Project Feasibility Study: Thorburn explained the Platte-Republican Diversion board interviewed two top bidders: JEO and Olsson and Associates. Olsson Associates was the lowest bidder. The Platte-Republican Diversion Board and

TBNRD Projects & Construction Committee recommended approval of the Olsson and Associates bid. Thorburn explained that the Scope of Services would need to be approved first and then the Contract. There was discussion about cost-share funding from NDNR. Reynolds was concerned about the cost of the feasibility study and asked that NDNR review costs. Moved by Reynolds, seconded by Lundeen to approve Olsson and Associates bid for the Feasibility Study for the Platte-Republican Diversion Project Phases 100 & 300, consult with LRNRD/NDNR about costs and review costs before the contract is approved. Motion withdrawn.

Moved by Reynolds, seconded by Raffety to accept Olsson and Associates as the contractor for the Platte-Republican Diversion Project Feasibility Study and consult with NDNR about cost estimate on the study and if NDNR will assist with the cost. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

Little Blue IMP Facilitation Agreement Amendment: Thorburn explained that amendment allows for increased cost due to increased stakeholders. Moved by Reynolds, seconded by Ryan to approve the Little Blue IMP Facilitation Agreement Amendment. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

Consider Rescheduling June Board Meeting to June 21, 2016: Thorburn explained that the NARD Basin Tour is the same date as TBNRD's Board Meeting on Tuesday, June 14, 2016. Thorburn asked that the board meeting date be changed to June 21, 2016 at 7:30 p.m. and that the board allow the VISA bills to be paid prior to the board meeting. Moved by Reynolds, seconded by Johnson to change the June Board Meeting Date to June 21, 2016 at 7:30 p.m. Motion carried.

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

NAY: Raffety

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

Moved by Johnson, seconded by Bergstrom to allow staff to pay the VISA bills prior to the June board meeting. Motion carried.

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

NAY: Raffety

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

COMMENTS AND CONCERNS

There were no comments or concerns.

PERSONNEL & LEGAL MATTERS

Moved by Johnson, seconded by Larson to move to executive session for the protection of the public to discuss legal issues at 9:38 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

Moved by Winz, seconded by Raffety to move out of executive session for the protection of the public to discuss legal issues at 10:03 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Cavanaugh and Garrelts

NEXT BOARD MEETING

TBNRD Regular Board Meeting at 7:30 p.m. on Tuesday, June 21, 2016.

ADJOURNMENT

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


DIRECTORS PRESENT

Brian Bergstrom, 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, Tammy Fahrenbruch, Dave Ford, Kevin Breece, Charles Brooks, Nolan Little, Art Marshall, Bruce Peterson, Lyndon Vogt, Gene Norberg and Paul Graddy.

Respectfully Submitted:



Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
May 17, 2016

ID	Motion #	Category	Subject	Aye	Nay	Abs	
	2016-05-17-01	Meeting Administration		8		1	Moved by Raffety, seconded by Winz, to excuse Dave Olsen from the January, February, March and April 2016 Board Meetings. Motion carried.
	2016-05-17-02	Meeting Administration		7		2	Moved by Bergstrom, seconded by Johnson, to approve the minutes for the April 5, 2016 Board of Directors Meeting. Motion carried.
	2016-05-17-03	Meeting Administration					Moved by Raffety, seconded by Harris, to approve the minutes for the April 8, 2016 Projects & Construction Committee Meeting. Motion carried unanimously.
	2016-05-17-04	Budget		9			Moved by Johnson, seconded by Bergstrom to accept the April 2016 financial reports and file for audit. Motion carried.
	2016-05-17-05	Budget		9			Moved by Johnson, seconded Ryan to approve the visa, attorney and JEO bills. Motion carried.
	2016-05-17-06	Meeting Administration		6	3		Moved by Lundeen, seconded Raffety to approve farm plans for Dickmeyer and Metzger. Motion carried.
	2016-05-17-07	Meeting Administration		9			Moved by Winz, seconded Ryan to approve five well decommissioning cost-share applications. Motion carried.
	2016-05-17-08	Meeting Administration		9			Moved by Reynolds, seconded Lundeen to approve thirteen NSWCP cost-share applications and five TBNRD cost-share applications. Motion carried.
	2016-05-17-09	District Plans & Programs	NSWCP allocation percentages	9			Moved by Reynolds seconded by Raffety to accept the Projects & Construction Committee recommendation to

							keep the current NSWCP allocation percentages. Motion carried.
	2016-05-17-10	Certification & Transfers	Norberg, Hartman, A&K and Wehrs	9			Moved by Reynolds, seconded by Lundeen to approve certified irrigated acre transfer requests for Eugene Norberg (2), Wade Hartman (2) and A&K Farms, well variance for A&K Farms and correction to certified irrigated acres for George Wehrs. Motion carried.
	2016-05-17-11	Projects	IPA Assessments	10			. Moved by Johnson, Seconded by Raffety to set the 2017 IPA assessments at: Fort Kearny IPA - \$.20, Ft. Kearny West IPA - \$.10, North Dry Creek IPA - \$.05, Sacramento Creek IPA - \$.00, South Dry Creek IPA - \$.15, Whiskey Slough IPA - \$.00, Odessa IPA - \$5.66. Motion carried.
	2016-05-17-12	District Plans & Programs	GWM Rules	10			Moved by Raffety, seconded by Bergstrom to approve proposed changes to the Groundwater Management Rules and Regulations and submit them to NDNR for review. Motion carried.
	2016-05-17-13	Policies – By-Laws	By-Laws	10			Moved by Raffety, seconded by Larson to approve proposed changes to TBNRD By-Laws. Motion carried.
	2016-05-17-14	Agreements	Mesonet	10			Moved by Reynolds, seconded by Raffety to approve the agreement with the Nebraska State Climate Office for the Mesonet Weather Station. Motion carried.
	2016-05-17-15	River Basins	Rep Basin Feasibility Study	10			Moved by Reynolds, seconded by Raffety to accept Olsson and Associates as the contractor for the Platte-Republican Diversion Project Feasibility Study and consult with NDNR about cost estimate on the study and if NDNR will assist with the cost. Motion carried.
	2016-05-17-16	Agreement	LB Facilitation Agreement amendment	10			Moved by Reynolds, seconded by Ryan to approve the Little Blue IMP Facilitation Agreement Amendment.

							Motion carried.
	2016-05-17-17	Meeting Administration		9	1		Moved by Reynolds, seconded by Johnson to change the June Board Meeting Date to June 21, 2016 at 7:30 p.m. Motion carried.
	2016-05-17-18	Meeting Administration		10			Moved by Johnson, seconded by Bergstrom to allow staff to pay the VISA bills prior to the June board meeting. Motion carried.
	2016-05-17-19	Meeting Administration		10			Moved by Johnson, seconded by Larson to move to executive session for the protection of the public to discuss legal issues at 9:38 p.m. Motion carried.
	2016-05-17-20	Meeting Administration		10			Moved by Winz, seconded by Raffety to move out of executive session for the protection of the public to discuss legal issues at 10:03 p.m. Motion carried.

MINUTES OF THE TRI-BASIN NRD PUBLIC HEARING
TBNRD BY-LAWS
Tuesday, May 17, 2016 – 7:30 p.m.
Tri-Basin NRD

CALL TO ORDER

A Public Hearing of the Tri-Basin Natural Resources District on the proposed TBNRD By-Laws was called to order by Dave Olsen, Chairman, at 7:30 p.m. Thorburn read the public hearing notice and left the hearing open for 60 minutes.

ROLL CALL

Roll call was taken with nine directors present: Bergstrom, Harris, Johnson, Lundeen, Olsen, Raffety, Reynolds, Ryan and Winz. Larson arrived at 8:14 p.m. Bilka, Garrelts and Cavanaugh were absent. Notice of the meeting was published in the Holdrege Citizen, Elwood Bulletin and Minden Courier.

BUSINESS

The public was given the opportunity to bring other specific business or non-agenda items before the board for comment and/or discussion.

ADJOURNMENT

There being no testimony from the public, the hearing was closed at 8:47 p.m.

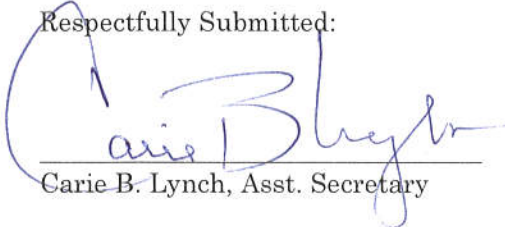
DIRECTORS PRESENT

Brian Bergstrom, 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, Tammy Fahrenbruch, Dave Ford, Kevin Breece, Charles Brooks, Nolan Little, Art Marshall, Bruce Peterson, Lyndon Vogt, Gene Norberg and Paul Graddy.

Respectfully Submitted:


Carie B. Lynch, Asst. Secretary

**MINUTES OF THE TRI-BASIN NRD PUBLIC HEARING
CONCERNING TBNRD GROUNDWATER MANAGEMENT RULES AND REGULATIONS
Tuesday, May 17, 2016 – 7:30 p.m.**

**Tri-Basin NRD
CALL TO ORDER**

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Respectfully Submitted:



Carie B. Lynch, Asst. Secretary