

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, December 13, 2022, 1:30 p.m.**  
**Tri-Basin Natural Resources District**

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Chairman, Bradley Lundeen at 1:30 p.m. Lundeen noted Public Meeting Law is posted in the boardroom.

**ROLL CALL**

Roll call was taken with ten directors present: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds. Bergstrom, Cavanaugh and Raffety were absent. Notice of the meeting was published in the Holdrege Citizen, Valley Voice and Minden Courier and announced on radio station KRVN, Lexington.

**EXCUSE ABSENCES**

There were no absences to excuse.

**MINUTES**

Thorburn presented the minutes of the November 8, 2022, Board of Directors. Moved by Bilka, seconded by Larson, to approve the minutes for the November 8, 2022, Board of Directors meeting.

Motion carried

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: Ryan

ABSENT: Bergstrom, Raffety and Cavanaugh

**FINANCIAL REPORT**

Hinrichs presented the financial report for the month of November 2022 as follows:

Accrual Expenditures for Month -----	\$92,732.43
Accrual Revenues for Month-----	\$12,483.24
Actual Expenditures for Month -----	\$101,606.10
Actual Revenues for Month-----	\$81,831.90
Bank Balance–November 30, 2022-----	\$182,086.56
Accounts Receivable – November 30, 2022-----	\$1,921.73
Investments – Pinnacle Bank – November 30, 2022-----	\$114,747.55
Building Sinking Fund – November 30, 2022-----	\$169,483.45
Vehicle Sinking Fund – November 30, 2022-----	\$71,667.83
Water Resources Fund – November 30, 2022-----	\$443,884.37
Whiskey Slough IPA Balance – November 30, 2022-----	\$11,962.32
Fort Kearny-West IPA Balance – November 30, 2022-----	\$7,423.63
South Dry Creek IPA Balance – November 30, 2022-----	\$6,134.45
Fort Kearny IPA Balance – November 30, 2022-----	\$10,815.25
Sacramento Creek IPA Balance – November 30, 2022-----	\$2,001.05
North Dry Creek IPA Balance – November 30, 2022-----	\$6,540.78
Water Jamboree – November 30, 2022-----	\$10,375.14
NR MDMA – November 30, 2022-----	\$7,637.55
Odessa IPA – November 30, 2022-----	\$20,091.53

Lynch reported that the format changed on financials and asked if the changes were acceptable. The board approved the format. Moved by Garrelts, seconded by Bilka, to accept the November 2022 Financial Report, and submit for audit. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

#### SPECIAL BILLS

Thorburn presented the attorney and VISA bills for approval. Moved by Bilka, seconded by Grimes, to approve the attorney and Visa bills. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

#### NRCS REPORT

**FSA Farm Plans:** There were no farm plans to approve.

**Activity and Progress Report:** Cammie Kerner reported staff is ranking over 200 EQIP applications, nine CSP applications were awarded and 115 CSP classic applications were received. Reynolds commented on the efficiency of TBNRD's TAPS team.

#### COST SHARE REPORT

**Well Abandonment** – There were no well decommissioning cost-share applications to approve.

**NSWCP & NRD Applications** – Thorburn presented one NSWCP and one TBNRD application for approval. Moved by Garrelts, seconded by Larson to approve one NSWCP and one TBNRD Cost-Share application. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

#### GROUNDWATER MANAGEMENT

**Groundwater, Certified Acre Transfers & WCIP** – Thorburn presented two groundwater transfer requests for Matthew Petersen and a change in use request for a hog expansion facility for David Olsen. Moved by Reynolds, seconded by Grimes to approve two groundwater transfer requests for Matthew Petersen and a change of use requests for a hog facility and cattle feedlot expansion for David Olsen. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

**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 or discussion. Gary Robison and Ed Schrock spoke on behalf of the Citizens Opposed to the Merger. Jeff Marshall commented on the PRRIP pipeline work. Thorburn introduced TBNRD's new water technician, Dana Christensen.

**UNFINISHED BUSINESS**

**Auditor's Report – Kyle Overturf:** Kyle Overturf, AMGL, presented information on the 2022-2023 Audit. Overturf reported areas for improvement: the manager or treasurer should look at the bank statements, one outstanding check over one year old and one disbursement that wasn't signed by the manager. Overturf mentioned that long-term easements are covered under a new accounting standard and will be included in next year's audit. Moved by Bilka, seconded by Ryan to approve the TBNRD 2022-2023 Audit and file with the State of Nebraska. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

**Fan and Garage Door at Armory:** Thorburn explained that one of the garage doors need repaired and that the big fan will require additional steps/cost to install. Moved by Garrelts, seconded by Bilka to approve the garage door repair and fan install. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

**Revise Agreement with NDNR for Recharge:** Thorburn presented a revision to the J-2 project contract with NDNR. The agreement will take funds set aside for the J-2 reservoir and convert it to pay for excess flow diversions from the Platte. TBNRD gets credit for 25% of offset and CPNRD gets 25% of offset but 100% of recharge occurs within CNPPID irrigated area. DNR has a separate agreement with CNPPID that will also be revised. That agreement specifies that, in exchange for providing money up front, TBNRD gets a fixed price for groundwater recharge diversions during the agreement term. The agreement runs through 2038. Thorburn mentioned that the agreements have been reviewed by TBNRD legal counsel. Moved by Reynolds, seconded by Garrelts to approve the revised recharge agreement with NDNR and release the J-2 funding. Motion carried.

AYE: Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: Bilka

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

**NARD REPORT**

**Delegate and Alternate Delegate for Legislative Conference:** Moved by Bilka, seconded by Hinrichs to designate Larry Reynolds as delegate and Brian Bergstrom as alternate delegate to the NARD Legislative Conference in January 2023. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Raffety and Cavanaugh

**COMMITTEE REPORTS**

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** There were no directives to staff.

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

**MONTHLY REPORTS**

**Republican Basin:** PRD ruling dismissed objectors.

**Platte Basin:** Nothing to report.

**Sand Creek/Little Blue Basin:** Nothing to report.

**North Dry Creek:** Staff has been cutting trees.

**Odessa IPA:** Staff has been cutting trees.

**Sacramento Creek:** Staff has been cutting trees.

**Fort Kearny:** Staff has been cutting trees.

**Fort Kearny West:** Staff has been cutting trees.

**South Dry Creek:** Staff has been cutting trees.

**Whiskey Slough:** Staff has been cutting trees.

**Middle Lost Creek:** Staff has been cutting trees.

**Lake Seldom:** Nothing to report.

**CoHyst/Platte Basin Coalition:** Nothing to report.

**Rainwater Basin Joint Venture:** Board meeting will be held January 26, 2023.

**Platte-Republican Diversion & Republican Basin Augmentation Well:** Nothing to report.

**CNPPID:** Scott Dicke gave a presentation prior to the board meeting about CNPPID water usage: 33% Winter Releases (FERC), 16% Conveyance Loss, 20% Water Customers, 21% Other Irrigation Canals and 10% Glendo Canal. Dicke reviewed uses associated with each category. Lake McConaughy is at 44%.

**NEW BUSINESS**

**Overton Gage Camera Agreement with USGS:** Thorburn explained the agreement for the USGS Overton Stream Gage Camera. TBNRD's share is \$14,985 for January 1, 2023 to September 30, 2025, PRRIP will pay half cost of camera (\$4000). Moved by Bergstrom, seconded by Grimes to approve the Overton stream gage camera agreement with USGS. Motion carried.

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AYE: Bilka, Grimes, Harris, Larson, Lundeen, Philips and Ryan  
NAY: Garrelts, Hinrichs and Reynolds  
ABSTAIN: None  
ABSENT: Bergstrom, Raffety and Cavanaugh

**COMMENTS AND CONCERNS**

There were no comments or concerns.

**PERSONNEL AND LEGAL MATTERS**

Moved by Garrelts, seconded by Philips to move to Executive Session to discuss legal matters for the protection of the public at 2:30 p.m. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds  
NAY: None  
ABSTAIN: None  
ABSENT: Bergstrom, Raffety and Cavanaugh

Moved by Bilka, seconded by Garrelts to move out of the Executive Session to discuss legal matters for the protection of the public at 3:00 p.m. Motion carried.

AYE: Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Ryan and Reynolds  
NAY: None  
ABSTAIN: None  
ABSENT: Bergstrom, Raffety and Cavanaugh

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held on Tuesday, January 10, at 1:30 p.m.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 3:03 a.m.

**DIRECTORS PRESENT**

Joe Bilka, Todd Garrelts, David Grimes, Ed Harris, Rob Hinrichs, Joe Larson, Brad Lundeen, Reed Philips, Jeff Ryan and Larry Reynolds.

**OTHERS PRESENT**

John Thorburn, Nate Munter, Dana Christensen, Scott Dicke, Greg Heiden, Mark Wells, Gary Robison, Jeff Marshall, Jeff Larson, Michael Paulsen, Nolan Little, Tammy Fahrenbruch, Cammie Kerner, Sasha Hahn, Robert McCormick, Ed Schrock, Reed McClymont, and Carie Lynch.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
 December 13, 2022

ID	Motion #	Category	Subject	Aye	Nay	Abstain	Motion
	2022-12-13-01	Meeting Administration		9		1	Moved by Bilka, seconded by Larson, to approve the minutes for the November 8, 2022, Board of Directors meeting. Motion carried.
	2022-12-13-02	Meeting Administration		10			Moved by Garrelts, seconded by Bilka, to accept the November 2022 Financial Report, and submit for audit. Motion carried.
	2022-12-13-03	Budget		10			Moved by Bilka, seconded by Grimes, to approve the attorney and Visa bills. Motion carried.
	2022-12-13-04	Meeting Administration		10			Moved by Garrelts, seconded by Larson to approve one NSWCP and one TBNRD Cost-Share application. Motion carried.
	2022-12-13-05	Certification & Transfers	Petersen and Olsen	10			Moved by Reynolds, seconded by Grimes to approve two groundwater transfer requests for Matthew Petersen and a change of use requests for a hog facility and cattle feedlot expansion for David Olsen. Motion carried.
	2022-12-13-06	Budget	Audit	10			Moved by Bilka, seconded by Ryan to approve the TBNRD 2022-2023 Audit and file with the State of Nebraska. Motion carried.
	2022-12-13-07	Budget	Armory	10			Moved by Garrelts, seconded by Bilka to approve the garage door repair and fan install. Motion carried.
	2022-12-13-08	Agreements	J-2 Recharge	9	1		Moved by Reynolds, seconded by Garrelts to approve the revised recharge agreement with NDNR and release the J-2 funding. Motion carried.
	2022-12-13-09	Directors	Legislative Conference	10			Moved by Bilka, seconded by Hinrichs to designate Larry Reynolds as delegate and Brian Bergstrom as alternate delegate to the NARD Legislative Conference in January 2023. Motion carried.
	2022-12-13-10	Agreements	Overton Stream Gage	7	3		Moved by Bergstrom, seconded by Grimes to approve the Overton stream gage camera agreement with USGS. Motion carried.
	2022-12-13-11	Meeting Administration		10			Moved by Garrelts, seconded by Philips to move to Executive Session to discuss

							legal matters for the protection of the public at 2:30 p.m. Motion carried.
	2022-12-13-12	Meeting Administration		10			Moved by Bilka, seconded by Garrelts to move out of the Executive Session to discuss legal matters for the protection of the public at 3:00 p.m. Motion carried.