

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, January 9, 2024, 1:00 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, Todd Garrelts at 1:00 p.m. Garrelts noted Public Meeting Law is available upon request.

ROLL CALL

Roll call was taken with ten directors present: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Reynolds and Ryan. Grams arrived at 1:02 p.m. Philips 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.

EXCUSED ABSENCES

Bergstrom will need to be excused from the November and December 2023 board meetings. Moved by Bilka, seconded by Harris, to excuse Brian Bergstrom from the November and December 2023 Board of Directors meetings. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom

ABSENT: Grams, Philips and Raffety

MINUTES

Thorburn presented the minutes of the November 14, 2023, Board of Directors and Executive Committee meetings. Moved by Larson, seconded by Reynolds, to approve the minutes for the December 12, 2023, Regular Board of Directors meeting. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom

ABSENT: Grams, Philips and Raffety

Moved by Bilka, seconded by Larson, to approve the minutes for the December 13, 2023, Projects & Construction Committee meeting. Motion carried unanimously.

FINANCIAL REPORT

Ryan presented the financial report for the month of December 2023 as follows:

Accrual Expenditures for Month	\$103,887.55
Accrual Revenues for Month.....	\$8,121.06
Actual Expenditures for Month	\$101,502.23
Actual Revenues for Month.....	\$34,747.10
Main Checking—December 31, 2023.....	\$53,926.65
Accounts Receivable – December 31, 2023.....	\$4,412.79
CD/Sinking Funds – Bruning Bank – December 31, 2023.....	\$210,000.00
Building Sinking Fund – December 31, 2023.....	\$29,784.75
Vehicle Sinking Fund – December 31, 2023.....	\$1,438.49
Water Resources Fund – December 31, 2023.....	\$202,386.59
Whiskey Slough IPA Balance – December 31, 2023.....	\$16,831.86
Fort Kearny-West IPA Balance – December 31, 2023.....	\$9,116.44
South Dry Creek IPA Balance – December 31, 2023.....	\$7,228.94
Fort Kearny IPA Balance – December 31, 2023.....	\$4,334.74
Sacramento Creek IPA Balance – December 31, 2023.....	\$1,004.69
North Dry Creek IPA Balance – December 31, 2023.....	\$8,020.52
Water Jamboree – December 31, 2023.....	\$4,334.74
Odessa IPA – December 31, 2023.....	\$20,085.18
Sacramento Creek IPA Loan Balance – December 31, 2023.....	\$4,412.79

Moved by Grimes, seconded by Lundeen, to accept the December 2023 Financial Report, and submit for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

SPECIAL BILLS

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

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

NRCS REPORT

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

Activity and Progress Report: Levi Adam, Acting District Conservationist reported staff has been working on CSP and EQIP.

COST SHARE REPORT

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

NSWCP & NRD Applications – Thorburn presented one TBNRD cost-share application for approval. Moved by Larson, seconded by Grimes, to approve one TBNRD cost-share application. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: None

GROUNDWATER MANAGEMENT

Groundwater, Certified Acre Transfers & WCIP – Thorburn presented one groundwater transfer request for Hilker, two irrigated acre transfers for Alberts Farms and three WCIP applications for Kingsley Investments for approval. Moved by Ryan, seconded by Hinrichs, to approve one groundwater transfer request, two irrigated acre transfer requests and three WCIP applications. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Reynolds and Ryan

NAY: None

ABSTAIN: Lundeen

ABSENT: Philips and Raffety

Educational Land Leases – Thorburn presented one Board of Educational Lands and Funds Agreement for Joel Meier for approval. Moved by Bilka, seconded by Lundeen, to approve one Board of Educational Lands and Funds agreement for Joel Meier. Motion carried.

TRI-BASIN NRD BOARD MINUTES

January 9, 2024

Page Three

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

OTHER BUSINESS

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

UNFINISHED BUSINESS

Change the February 2024 Board Meeting Date: Thorburn explained that NDNR wants to meet with the Board on February 20, 2024. There was discussion about the chairperson in absence of all elected officers. Thorburn commented that the board can appoint a temporary chair. Moved by Reynolds, seconded by Lundeen, to change the Board Meeting date to February 20, 2024, at 1 p.m. with a Work Session at 10 a.m. on the same day. Motion carried.

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

NAY: None

ABSTAIN: Bilka

ABSENT: Philips and Raffety

NARD REPORT

NARD Report: There was no NARD report.

COMMITTEE REPORTS

Projects & Construction & Executive Committee Meetings: Thorburn reviewed Projects & Construction and Executive Committee recommendations. He explained the Marquardt/Nebraskaland well directive. Thorburn explained there was discussion about adding manure as a credit on the nitrogen reporting form, which would require a rule change. Thorburn will draft an amendment. Lundeen suggested that manure spread should be added to the nitrogen classes. Moved Reynolds, seconded by Lundeen to accept the Executive Committee's recommendation that Tye Marquardt/Nebraskaland Aviation be granted a variance from NRD rules to drill an additional commercial well without an additional offset requirement because the business was operating prior to implementation of current commercial water use rules and regulations. Motion carried.

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

NAY: None

ABSTAIN: Bilka

ABSENT: Philips and Raffety

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There was nothing to report.

Out-of-State Travel: Thorburn explained that he will need out-of-state travel approval for the Ogallala Summit in Liberal, KS on March 18-19, 2024 and Little will need out-of-state travel for the Washington DC Conference on March 16-21, 2024. Moved by Grams, seconded by Grimes, to approve out of state travel for Thorburn on March 18-19, 2024, to Liberal, KS and Little for Washington DC on March 16-21, 2024. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

MONTHLY REPORTS

Republican Basin: Nothing to report.

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: Nothing to report.

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

CNPPID Report: Scott Dicke reported on CNPPID activities.

NEW BUSINESS

Implement Republican Basin Soil Moisture Sensor Cost-Share Program: Thorburn explained that soil moisture sensors can be leased and asked that the cost-share policy address this. Moved by Reynolds, seconded by Grams to accept the committee recommendation to provide soil moisture sensor cost-share, at a rate of 60% for equipment purchase/rental, with a maximum payout of \$2500 per cost-share application and a maximum payout per landowner per year of \$5,000 and that the landowner be required to report data for three years. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

Authorize Improvements for PRD Pasture: Thorburn explained that Kuck was approved for EQIP funding. TBNRD and LRNRD would split the remaining cost of the project after cost-share. Moved by Grimes, seconded by Bilka to accept the committee recommendation to approve participating in cost-share with Abe Kuck for well and fencing and also rock and dozer work at the top of the project. Motion carried.

TRI-BASIN NRD BOARD MINUTES

January 9, 2024

Page Four

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

Authorize Preparation of Inter-Basin Transfer Applications: Moved by Ryan, seconded by Bergstrom to accept the committee recommendation to develop additional inter basin transfer project applications for submission after the PRD application is approved. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Philips and Raffety

COMMENTS AND CONCERNS

PERSONNEL AND LEGAL MATTERS

NEXT BOARD MEETING

TBNRD Regular Board Meeting and Board Work Session will be held on Tuesday, February 20, 2024, at 10 a.m. and 1:00 p.m. respectively.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:32 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Joe Bilka, Todd Garrelts, Joel Grams, David Grimes, Ed Harris, Rob Hinrichs, Joe Larson, Brad Lundeen, Larry Reynolds and Jeff Ryan.

OTHERS PRESENT:

John Thorburn, Sasha Hahn, Nolan Little, Nate Munter, Scott Dicke, Levi Adam and Carie Lynch.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 January 9, 2024

ID	Motion #	Category	Subject	Aye	Nay	Abstain	Motion
	2023-01-09-01	Meeting Administration		9		1	Moved by Bilka, seconded by Harris, to excuse Brian Bergstrom from the November and December 2023 Board of Directors meetings. Motion carried.
	2023-01-09-02	Meeting Administration		9		1	Moved by Larson, seconded by Reynolds, to approve the minutes for the December 12, 2023, Regular Board of Directors meeting. Motion carried.
	2023-01-09-03	Meeting Administration					Moved by Bilka, seconded by Larson, to approve the minutes for the December 13, 2023, Projects & Construction Committee meeting. Motion carried unanimously.
	2023-01-09-04	Meeting Administration		11			Moved by Grimes, seconded by Lundeen, to accept the December 2023 Financial Report, and submit for audit. Motion carried.
	2023-01-09-05	Budget		11			Moved by Bilka, seconded by Bergstrom, to approve the Visa and attorney bills. Motion carried.
	2023-01-09-06	Meeting Administration		11			Moved by Larson, seconded by Grimes, to approve one TBNRD cost-share application. Motion carried.
	2023-01-09-07	Certifications & Transfers		10		1	Moved by Ryan, seconded by Hinrichs, to approve one groundwater transfer request, two irrigated acre transfer requests and three WCIP applications. Motion carried.
	2023-01-09-08	Meeting Administration		11			Moved by Bilka, seconded by Lundeen, to approve one Board of Educational Lands and Funds agreement for Joel Meier. Motion carried.
	2023-01-09-09	Meeting Administration		10		1	Moved by Reynolds, seconded by Lundeen, to change the Board Meeting date to February 20, 2024, at 1 p.m. with a Work Session at 10 a.m. on the same day. Motion carried.
	2023-01-09-10	Policies – By-Laws	Marquardt Variance	11			Moved Reynolds, seconded by Lundeen to accept the Executive Committee’s recommendation that Tye Marquardt/Nebraskaland Aviation be granted a variance from NRD rules to drill an additional commercial well without an additional offset requirement because the business was operating prior to implementation of

							current commercial water use rules and regulations. Motion carried.
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