

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, July 14, 2015, 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 Olsen, at 1:32 p.m. Olsen noted Public Meeting Law is posted in the boardroom. Prior to the meeting, A Special Board Meeting was held prior to this meeting to discuss the FY 2015-2016 Budget and TBNRD projects.

**ROLL CALL**

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

There were no absences to excuse.

**MINUTES**

Thorburn presented the minutes of the June 9, 2015, Board of Directors Meeting and Sand Creek Landowner Hearing and July 7, 2015 Executive Committee Meeting. Moved by Johnson, seconded by Lundeen, to approve the minutes for the June 9, 2015 Board of Directors Meeting and hearing. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts. Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: Bilka and Harris

ABSENT: Nickel

Moved by Lundeen, seconded by Garrelts, to approve the minutes for the July 7, 2015 Executive Committee meeting. Motion carried unanimously.

**FINANCIAL REPORT**

Bilka presented the financial report for the month of June 2015 as follows:

Accrual Expenditures for Month -----	\$174,367.66
Cash Expenditures for Month-----	\$180,546.00
Accrual Revenues for Month-----	\$160,957.55
Cash Revenues for Month-----	\$220,704.98
Bank Balance—June 30, 2015-----	\$650,379.83
Accounts Receivable – June 30, 2015-----	\$20,675.44
Investments – Pinnacle Bank – June 30, 2015-----	\$50,058.05
Whiskey Slough IPA Balance – June 30, 2015-----	\$18,603.81
Fort Kearny-West IPA Balance – June 30, 2015-----	\$10,162.57
South Dry Creek IPA Balance – June 30, 2015-----	\$12,124.23
Fort Kearny IPA Balance – June 30, 2015-----	\$11,444.87
North Dry Creek IPA Balance – June 30, 2015-----	\$16,079.82
Sacramento Creek IPA Balance – June 30, 2015-----	\$22,333.62
Water Jamboree – June 30, 2015-----	\$2,555.19
NRRMDA – June 30, 2015-----	\$7,623.50
Odessa IPA – June 30, 2015-----	\$14,092.19

Moved by Larson, seconded by Winz, to accept the June 2015 financial reports and file for audit. Motion carried.

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AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**SPECIAL BILLS**

Thorburn presented the VISA, E-A Consulting, Brooks Tractor Rental and attorney bills for approval. Moved by Garrelts, seconded Raffety to approve the visa, attorney bill, E-A Consulting Bill and Brooks bill. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**NRCS REPORT**

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

**Activity and Progress Report:** Lisa Berkeypile reported a total of ninety-six CSP contracts were approved totaling almost two million dollars.

**COST SHARE REPORT**

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

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**NSWCP & NRD Applications** – Thorburn recommended eight NSWCP and one TBNRD cost-share application for approval. Moved by Garrelts, seconded Bilka to approve eight NSWCP and one TBNRD cost-share application. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – Thorburn presented three certified irrigated acre transfer requests (Clinton Anderson Sons, Inc., and Paul Johnson & Sons Cattle (2)). Kirk Edgren, Les Greiss and Blake Johnson were present to answer questions. Thorburn also presented a special request to convert irrigated acres to a hog confinement area and a request for a de-watering well for PRRIP, which is listed under a different agenda item. Moved by Garrelts, seconded by Reynolds to approve three certified irrigated acre transfer requests (Clinton Anderson Sons, Inc. and Paul Johnson & Sons Cattle (2)) and a request to transfer irrigated acres to Loomis Pork, LLC. Motion carried.

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AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

Moved by Reynolds, seconded by Larson to approve a special request to convert irrigated acres into livestock use for Loomis Pork, LLC. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**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 Negotiating with Wm. Kuehn for Sand Creek Reservoir Easement:** Thorburn asked for permission to negotiate with Wm. Kuehn for a Sand Creek easement. Moved by Raffety, seconded by Bergstrom to allow staff to negotiate with Wm. Kuehn for a Sand Creek Easement. Motion carried.

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

NAY: None

ABSTAIN: Garrelts

ABSENT: Nickel

**NARD REPORT**

**Proposal to Support Video on NRD History:** Reynolds gave a report on this agenda item at the special board meeting.

**Adopt NARD 414 (h) Retirement Plan Resolution:** Thorburn reported that a NARD Resolution needs to be adopted to formally include changes to the 414(h) and 457(b) retirement plans. Thorburn mentioned that the board previously approved the changes. Moved by Reynolds, seconded by Winz to approve the NARD Resolution to adopt the changes for the 414(h) and 457(b) retirement plans. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**COMMITTEE REPORTS**

**Executive Committee:** Thorburn reviewed the committee recommendations, which will be covered separately.

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** There was no staff report.

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

**MONTHLY REPORTS**

**Republican Basin (NRRMDA):** The Basin-Wide Stakeholders meet June 16, 2015 in Cambridge, NE. Johnson attended. Thorburn and Winz reported on UNL Republican Basin Tour. Thorburn explained that Dawson Public Power District is requesting a commitment to hang a power transformer for the Republican Basin Augmentation well and needs a response by August 14, 2015. Moved by Reynolds, seconded by Bilka to authorize Thorburn to allow Dawson Public Power District to install a transformer for the Republican Basin Augmentation Well. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**Platte Basin:** IMP Progress Meeting was held June 18, 2015 in North Platte. Reynolds attended.

**South Dry Creek:** Weed Spraying was done by staff.

**Sacramento Creek:** Weed Spraying was done by staff.

**Middle Lost Creek:** Nothing to report.

**Fort Kearny West:** Weed Spraying was done by staff.

**Fort Kearny:** Weed Spraying was done by staff.

**North Dry Creek:** Weed Spraying was done by staff.

**Whiskey Slough:** Weed Spraying was done by staff.

**Odessa IPA:** Weed Spraying was done by staff.

**Lake Seldom:** Partners are working with Rainwater Basin Joint Venture on a management Plan.

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

**Sand Creek/Little Blue Basin:** LBNRD is developing a Basin-Wide Integrated Management Plan. A joint committee meeting with TBNRD will be held July 29, 2015.

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

**CNPPID:** Ford reported Lake McConaughay is at elevation 3263.5.

**NEW BUSINESS**

**Consider Approval of Well Permit for Streamflow Augmentation Well for PRRIP:** This item will be discussed later in the meeting.

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**Consider Whether to Investigate Options for Platte-Republican Basin Diversions:**

Thorburn explained that TBNRD had an opportunity to divert water from the Platte to Republican Basins during a recent high flow event but easements couldn't be obtained for the required land. TBNRD is looking at developing a diversion route using Turkey Creek. Thorburn asked the board to allow him to talk with landowners and potential partners for the project. Moved by Reynolds, seconded by Larson to authorize Thorburn to talk with landowners and potential partners/customers for the Platte to Republican Basins diversion project. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**Schedule Public Hearing on Proposed FY 2015-2016 Budget:** Moved by Reynolds, seconded by Winz to approve the FY 2015-2016 Budget as modified during this meeting, for public hearing on August 11, 2015 at the Board of Directors Meeting. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**Consider Scheduling Hearing on NRD Rules Revisions:** Thorburn presented proposed Groundwater Management Rules changes. The changes would limit using groundwater recharges as an offset mechanism to streamflow augmentation well permits only and prohibit transfers of water out of this NRD without board approval. Moved by Raffety, seconded by Bilka to schedule a public hearing at the August 11, 2014 board meeting to consider changes to the Groundwater Management Rules and Regulations. Motion carried.

AYE: Bergstrom, Bilka, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: Cavanaugh

ABSTAIN: None

ABSENT: Nickel

**PERSONNEL & LEGAL MATTERS**

Moved by Reynolds, seconded by Bilka to move to executive session for the protection of an individual to discuss personnel issues at 2:09 p.m. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

Moved by Bilka, seconded by Winz to move out of executive session for the protection of an individual to discuss personnel issues at 2:18 p.m. Motion carried.

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AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

Moved by Reynolds, seconded by Lundeen to set the manager's salary at \$80,000 for FY 2015-2016.

Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**NEW BUSINESS**

**Consider Approval of Well Permit for Streamflow Augmentation Well for PRRIP:** Sira Sartori, PRRIP, made a presentation for the PRRIP. PRRIP is requesting a permit for a de-watering well that will augment flows to the Platte River. She presented an overview of the goals of the project:

- Water Action Plan project goal is 50,000 acre-feet per year (AFY) to 70,000 AFY on average of reduction to USFWS target flows shortages
- Augmentation well will be a Water Action Plan project and will be used to increase river flows during critical periods for species
- Score is the yield routed to Grand Island and credited during shortages to USFWS target flows

Sartori presented the concepts of the project:

- Pump recharged groundwater under Phelps County Canal directly to the river during shortages to USFWS target flows
- Proposed augmentation well will be combined with recharge operations to increase combined project score (retiming)
- Pumping will be limited by the volume of water the Program is able to recharge in the Phelps County Canal in the non-irrigation season

Thorburn explained how the rules changes would apply to the PRRIP Augmentation Project. He also explained that TBNRD needs to discuss the issue with NDNR to make sure that TBNRD can receive offset credit for the project.

Moved by Bilka, seconded Harris to table until the August 11, 2015 Board Meeting the request from the PRRIP for a permit for an augmentation well to re-time deliveries to the Platte River. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts. Harris, Johnson, Larson, Lundeen, Olsen, Raffety, Reynolds, and Winz

NAY: None

ABSTAIN: None

ABSENT: Nickel

**COMMENTS AND CONCERNS**

There were no comments or concerns.

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**NEXT BOARD MEETING**

TBNRD Regular Board Meeting at 1:30 p.m. on Tuesday, August 11, 2015, at the Funk Community Building, Funk, NE

**ADJOURNMENT**

There being no further business, the meeting adjourned at 2:58 p.m.

**DIRECTORS PRESENT**

Brian Bergstrom, Joe Bilka, Mike Cavanaugh, Todd Garrelts, Ed Harris, Phyllis Johnson, Joe Larson, Brad Lundeen, Dave Olsen, Dave Raffety, Larry Reynolds and Ray Winz.

**OTHERS PRESENT**

Carie Lynch, John Thorburn, Tammy Fahrenbruch, Dave Ford, Lisa Berkeypile, Sira Sartori, Kirk Edgren, Les Weiss, Nicole Salisbury, Nolan Little, Blake Johnson and Charles Brooks.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
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ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2015-07-14-01	Meeting Administration		10		2	Moved by Johnson, seconded by Lundeen, to approve the minutes for the June 9, 2015 Board of Directors Meeting and hearing. Motion carried.
	2015-07-14-02	Meeting Administration					Moved by Lundeen, seconded by Garrelts, to approve the minutes for the July 7, 2015 Executive Committee meeting. Motion carried unanimously.
	2015-07-14-03	Meeting Administration		12			Moved by Larson, seconded by Winz, to accept the June 2015 financial reports and file for audit. Motion carried.
	2015-07-14-04	Budget		12			Moved by Garrelts, seconded Raffety to approve the visa, attorney bill, E-A Consulting Bill and Brooks bill. Motion carried.
	2015-07-14-05	Meeting Administration		12			Moved by Bilka, seconded Winz to approve well decommissioning cost-share applications. Motion carried.
	2015-07-14-06	Meeting Administration		12			Moved by Garrelts, seconded Bilka to approve eight NSWCP and one TBNRD cost-share application. Motion carried.
	2015-07-14-07	Certification & Transfers	Clinton Anderson, Paul Johnson and Loomis Pork	12			Moved by Garrelts, seconded by Reynolds to approve three certified irrigated acre transfer requests (Clinton Anderson Sons, Inc. and Paul Johnson & Sons Cattle (2)) and a request to transfer irrigated acres to Loomis Pork, LLC. Motion carried.
	2015-07-14-08	Certification & Transfers	Loomis Pork	12			Moved by Reynolds, seconded by Larson to approve a special request to convert irrigated acres into livestock use for Loomis Pork, LLC. Motion carried.



2015-07-14-09	Projects	Sand Creek	11		1	Moved by Raffety, seconded by Bergstrom to allow staff to negotiate with Wm. Kuehn for a Sand Creek Easement. Motion carried.
2015-07-14-10	Personnel	414(h) & 457(b)	12			Moved by Reynolds, seconded by Winz to approve the NARD Resolution to adopt the changes for the 414(h) and 457(b) retirement plans. Motion carried.
2015-07-14-11	Projects	Republican Basin Augmentation Well	12			Moved by Reynolds, seconded by Bilka to authorize Thorburn to allow Dawson Public Power District to install a transformer for the Republican Basin Augmentation Well. Motion carried.
2015-07-14-12	Projects	Republican Basin Diversion Project	12			Moved by Reynolds, seconded by Larson to authorize Thorburn to talk with landowners and potential partners/customers for the Platte to Republican Basins diversion project. Motion carried.
2015-07-14-13	Budget		12			Moved by Reynolds, seconded by Winz to approve the FY 2015-2016 Budget as modified during this meeting, for public hearing on August 11, 2015 at the Board of Directors Meeting. Motion carried.
2015-07-14-14	District Plans & Programs	Groundwater Management Hearing	11	1		Moved by Raffety, seconded by Bilka to schedule a public hearing at the August 11, 2014 board meeting to consider changes to the Groundwater Management Rules and Regulations. Motion carried.
2015-07-14-15	Meeting Administration		12			Moved by Reynolds, seconded by Bilka to move to executive session for the protection of an individual to discuss personnel issues at 2:09 p.m. Motion carried.
2015-07-14-16	Meeting Administration		12			Moved by Bilka, seconded by Winz to move out of executive session for the protection of an individual to discuss personnel issues at 2:18 p.m. Motion carried.

	2015-07-14-17	Budget		12			Moved by Reynolds, seconded by Lundeen to set the manager's salary at \$80,000 for FY 2015-2016. Motion carried.
	2015-07-14-18 2015-07-14-01	River Basins	PRRIP Augmentation well permit	12			Moved by Bilka, seconded Harris to table until the August 11, 2015 Board Meeting the request from the PRRIP for a permit for an augmentation well to re-time deliveries to the Platte River. Motion carried.