

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Tuesday, October 13, 2009**  
**Curtis, Nebraska**

**Board Members Present:** Josh Friesen, Kevin Fornoff, Dan Nelsen, Marty Schurr, Joe Anderjaska, Brad Randel, James Uerling, Buck Haag, Rick Spencer, Rick McConville

**Board Members Absent:** Benjie Loomis

**NRD Staff:** Dan Smith, Bob Merrigan, Roger Lawson and Stacie Owens

**NRCS Staff:** None.

**Others:** Earl Johnston, Bruce McDermott, Thad McDermott, John W. Scharf, Marc Rasmussen, Bill Moore, Jason Boner, Hank Knisley, Dick Hansenhauer, Clint Sheets, Marvin Knoll, Ken Carriker, Randy Robinson

**Information E-mailed to Directors:**

LRNRD Presentation	Irrigation Districts Resolution
E-mail from Smith to Board, 10/8/09	E-Notes dated Oct. 6, Sept. 29, 22
Rapid Response Maps	DNR Presentation in Holdrege
E-mail from Smith to Board, 9/18/09	(2) on Holdrege Meeting

**Information Mailed to Directors:**

Agenda	Budget Hearing Minutes
Special Budget Hearing Minutes	Regular Meeting Minutes
Public Hearing Minutes	Public Hearing Agenda
Request for Variance #23-26	Financial Report
NRCS Newsletter	Hispanic Heritage Month Letter
457 Plan Amendment	457 Resolution
I & E Report	Website Activity Chart
Cowboy Logic Article	Natural Resources Camp
Permit to Construct	Map-Compliance Options During Dry Years
Map-Compliance Option During Dry Years	10% depletion in Two Years
Map-Compliance Option During Dry Years	10% depletion in Five Years

**Information Distributed at Meeting:**

NARD Resolutions Adopted	Surface Water Report
Fall Well Report	Cost-Share Report
MRNRD Basin Report, AWEP Nos.	RRBC Report
Ltr from McCook Econ. Dev. Corp.	Resolution from SPUCC
Resolution from Irrigation Districts	Claude Cappel handouts
Uerling Plan handouts	

## **REGULAR MEETING**

**1. The regular monthly board meeting was called to order by Chairman Friesen at 7:30 pm.**

- a. Verify Quorum.
- b. Excused Absences – Loomis.

◆ A motion was made by Fornoff and seconded by Uerling to excuse the absence of Loomis due to hospitalization.

Ayes- 10          Nays-0          Motion Carried

2. The agenda and roster were circulated to those present.

- a. **Added Items: 12.6.d. Clements, LRNRD Proposal**

3. Notice of the regular monthly meeting was published in the **North Platte Telegraph** and the **McCook Daily Gazette** and was posted at the **MRNRD Office** and on the **District Website at [www.mrnrd.org](http://www.mrnrd.org)**. As a courtesy it was also provided to local radio stations. Guests should also note the location of a current copy of the statutes dealing with public meetings and the booklet with the information provided to directors.

4. The Minutes for the September 15<sup>th</sup> Budget Hearing FY 2009-1010, Special Budget Hearing to Set Final Tax Request, Regular Board Meeting and Variance Hearing were mailed to Directors.

◆ A motion was made by Anderjaska and seconded by Schurr to approve the Minutes of the September 15<sup>th</sup> Budget Hearing FY 2009-1010, Special Budget Hearing to Set Final Tax Request, Regular Board Meeting and Variance Hearing.

Ayes-10          Nays- 0          Motion Carried

5. The meeting was recessed at 7:32 pm for the purpose of opening the variance hearing.

6. The meeting was reconvened at 7:49 pm.

## **7. CONSIDER VARIANCE REQUEST**

Discussion was held.

◆ A motion was made by Schurr and seconded by Fornoff to approve the Seward variance requests 23 through 26-2009.

Ayes-5          Nays-Haag, McConville, Randel, Spencer, Uerling          Motion Failed

## **8. FINANCIAL ACTIONS**

a. The September Financial Report was presented by Smith. The County Treasurer's Balance was \$251,745.39.

◆ A motion was made by Anderjaska and seconded by Uerling to approve the September Financial Report as presented.

Ayes- 10          Nays- 0          Motion Carried

A copy of this report is on file with the Minutes.

## **9. LEGAL MATTERS**

- a. Case Status – LB 701 – Declaratory Judgment progress – Filed.  
Nothing new.
- b. Occupation Tax Challenge – Lancaster District Court – December?  
Nothing new.

## **10. OPEN FORUM**

### **Rex Nelson, Executive Director, McCook Economic Development.**

Nelson provided a letter and resolution on behalf of the McCook Economic Development and the second letter and resolution on behalf of the South Platte United Chambers of Commerce both expressing concerns for the economical impact of the proposals the Nebraska Department of Natural Resources (hereinafter known as “DNR”) if adopted.

### **Brad Edgerton, Manager, Frenchman-Cambridge Irrigation District.**

Edgerton also offered a letter and resolution on behalf of Frenchman-Cambridge, Frenchman Valley, Nebraska Bostwick and Hitchcock-Red Willow Irrigation Districts expressing concerns that DNR’s proposals are only short term fix.

### **Claude Cappel, McCook**

Cappel provided a variety of documents and maps regarding decreases in water supply over a number of years, he expressed concern over DNR’s proposals and feels it is important to treat all irrigators equal.

### **Brian Wright, Hamlet**

Wright expressed concerns about his wells because they are located in the quick response area and would be shut down based on DNR’s maps. He also feels all irrigators should be treated equally.

### **Roger Goltl, McCook**

Goltl feels all irrigators should be treated equally and that DNR’s proposal of shutting down certain areas is unfair.

*8:15 PM MOVED ITEMS 12. 5 AND 6, a, b, c and 11. e and f here.*

## **12. GROUND WATER MANAGEMENT**

### **5. DNR PRESENTATION ON STATE PROPOSAL AND MEETING DATES.**

Brian Dunnegan, Director of DNR, introduced himself and the DNR staff. He discussed the importance of compliance and requested the Board review the binders being provided in detail. Jim Schneider presented the PowerPoint of all proposed plans and explained how they work. He answered a number of questions from the Board and audience. The binder provided by DNR is filed in the MRNRD office and is not included with these minutes due to the size of information provided.

9:50 PM BREAK

9:55 PM RETURN TO MEETING

**6. OTHER.**

a. 5 YEAR ROLLING ALLOCATION. Dan Nelsen and Marty Schurr presented a PowerPoint on the 5 year rolling allocation proposal. Nelsen explained how the system would work. Both Nelsen and Schurr answered questions.

b. UERLING PLAN. James Uerling presented a PowerPoint of his plan and concerns. He also had a handout which is filed with these minutes.

c. CLEMENTS, LOWER REPUBLICAN NRD PLAN. Mike Clements presented a PowerPoint on the LRNRD's plan, "Best Management Practices".

**11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS**

**D. REPUBLICAN RIVER BASIN COALITION**

Witthuhn gave her report and handed out her packet for the Board Members.

**F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.**

1. Report on September 17 Meeting, Holdrege. Minutes of the Meeting are included in Witthuhn's RRBC report.

2. Next Meeting. Witthuhn reported that the next meeting will be the week after Thanksgiving in Curtis.

**11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS**

**A. NRCS REPORT.**

1. District Cons. Report. Smith briefly went over the information Doug Whisenhunt included in the Board packets.

2. AWEF Numbers. Merrigan handed out a sheet with the final AWEF numbers.

3. Bids for Dam Repairs.

Smith announced that BSB was the only bid received.

◆ A motion was made by Anderjaska and seconded by Schurr to award the bid to BSB of Curtis, Nebraska pending concurrence of the NRCS State Administrative Office in Lincoln, Nebraska.

Ayes- 10

Nays- 0

Motion Carried

**B. NARD**

1. Report – Anderjaska gave report on the annual conference.

2. Resolutions. Smith provided a copy of the resolutions that passed at annual conference.

3. 457 Plan Revision. Smith explained the plan and went over the changes.

◆ A motion was made by Anderjaska and seconded by Nelsen to approve NARD 457 Plan Amendment 1 Final 092909 and adopt Resolution 286-09.

Ayes- 10      Nays- 0      Motion Carried

**C. NNRC**

1. Report – Nelsen will e-mail the Minutes from the last meeting out to the Board members.

**E. INFORMATION AND EDUCATION**

1. Reports.

Lawson went over his report and answered questions.

***MOVED UP LOCATION FOLLOWING DNR's PRESENTATION.***

**F. REPUBLICAN RIVER BASIN COALITION**

Witthuhn gave her report and handed out her packet for the Board Members.

**F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.**

Witthuhn

1. Report on September 17 Meeting, Holdrege.
2. Next Meeting in November.

**G. OTHER AGENCIES OR ASSOCIATIONS.**

1. RC&D.

None.

**H. LEGISLATION.**

1. Interim Hearings Report.

Anderjaska reported on the meeting he attended in Valentine and Smith reported on the meeting he attended in Kearney.

**I. REPUBLICAN RIVER COMPACT.**

Nothing new.

**12. GROUND WATER MANAGEMENT AREA**

**A. GROUND WATER MANAGEMENT AREA**

**1. REPORTS**

(a) **WELL PERMITS**

Report enclosed.

(b) **SURFACE WATER**

Bureau's report enclosed.

(c) **METER PROGRAM**

Smith reported that the technicians were servicing and reading meters in Hayes and Hitchcock Counties as weather permits.

**2. TRANSFERS REQUESTS.**

(a) **INITIAL REVIEW LIST – None.**

(b) **FINAL REVIEW – Kathy Eichman to George Seward (Perm**

◆ A motion was made by Fornoff and seconded by Schurr to take the Eichman transfer off the table.

Ayes- 6      Nays- Randel, Spencer, Uerling, Haag      Motion Carried

◆ A motion was made by Schurr and seconded by Fornoff to approve the transfer PT6-1009 and MR-534.

Ayes- 5      Nays- Spencer, Uerling, Haag, McConville, Randel      Motion Failed

**3. ACREAGE REDUCTION PROGRAM.**

(a) **Report.**

Nothing new.

**4. RIVERSIDE IRRIGATION DISTRICT – Consider Water Lease.**

Nothing new.

***MOVED UP LOCATION FOLLOWING ITEM 10. OPEN FORUM***

***5. DNR presentation on State proposal and Meeting Dates.***

***6. Other.***

***a. 5 year rolling average.***

***b. Uerling Plan.***

***c. Reduced Allocation.***

***d. Clements, LRNRD Proposal***

**B. GROUND WATER QUALITY MANAGEMENT AREA – Samples.**

None.

**C. OTHER GROUND WATER ACTIVITY**

None.

**13. PROGRAMS**

**A. CONSERVATION MANAGEMENT FUNDS**

**1. Approve Applications.** Smith went over Cost-Share.

◆ A motion was made by Nelsen and seconded by Spencer to approve the Cost Share Report.

Ayes – 10      Nays – 0      Motion Carried

Anderjaska requested that we revisit the cost share program and possibly prioritize requests differently.

**B. WATERSHEDS – District Inspections and Maintenance.**

1. **80A.** Nothing new.

2. **32A.** Nothing new.

**C. COMPLAINTS**

None.

**D. CHEMIGATION**

None.

**E. TREE PLANTING.**

None.

**F. BUFFER STRIPS**

None.

**G. LIVESTOCK WASTE CONTROL APPLICATIONS**

None.

**14. GENERAL OPERATIONS**

**A. PERSONNEL.**

None.

**B. SALES AND RENTAL EQUIPMENT**

None.

The meeting was adjourned at 11:45 pm.

The next regular meeting will be held Tuesday, November 10, 2009 at 7:30 pm in Curtis, Nebraska at the Community Center at 201 Garlick Avenue.

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Stacie M. Owens  
Board Secretary