

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, March 8, 2011 at 3:00 PM
Curtis, Nebraska

Board Members Present: Kevin Fornoff, Joe Anderjaska, Brad Randel, Buck Haag, James Uerling, Rick McConville, Rick Spencer, Steve Cappel, John Palic, Blaine Stinson, Bill Hoyt

Board Members Absent: None

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

NRCS Staff: Jason Kennedy

Others: Gene Holm, Roger Goltl, Don Felker, Teresa Welch, Donnie Welch, William M. Barger, Doug Sullivan, Sean Lacey, Brad Johnson, Vern Friesen, Josh Friesen, Justin Bass, Scott Moore, Stan Moore, Benjie Loomis, M. Knoll, Clint Sheets, Brian Holm, Claude Cappel, Craig Scott, Brad Edgerton, Dawson Welch, Lorn Dizmang, Roger Stockton

Information E-mailed to Directors:

E-mail from Smith to Uerling dated 2/16/2011 and response from Uerling

E-Notes dated Feb 15, 23 & Mar. 1

2011 Southwest Water Conference Brochure

Legislative Updates for Feb. 25, Mar. 4

E-mail from Smith re: Exec Committee Mtg

Adjudicatory procedures

E-mail to Smith from Don Adams dated 3/7/11

Information Mailed to Directors:

Agenda

Minutes from Regular Meeting

Public Hearing Agenda

Variance Requests 1 and 2-2011

Financial Report

Profit & Loss Budget vs. Actual

Attorney List

I & E Report

Awards & College Scholarship Programs

Regional Envirothon Score sheet

LB 645

Permit To Construct Summary

Permit to Construct FY 2010-2011

2010 Water Usage Report

Ltr to Brian Dunnigan

NE Water Balance Alliance Agenda

Information Distributed at Meeting:

Gazette article dated Feb. 16th

Civil Rights Handout

2011 Southwest NE Water Conference

RRBC Water Balance Study findings

Draft LB 645 Testimony

Articles relating to Overappropriation

Surface Water report

Cost-Share Summary

2010 NRCS Accomplishments

AWEP application breakdown

Unobligated EQIP Funds breakdown

March 10th hearing dated for LB 645

REGULAR MEETING

1. The regular monthly board meeting was called to order by Chairman Haag at 3:51 pm.

a. Verify Quorum.

b. Excused Absences – None.

executive committee and anyone else who would like to be involved, meet and go over the responses. Both Hoyt and Fornoff stated they would like to be involved.

10. OPEN FORUM

Josh Friesen, Wallace. Discussed Jasper Fanning's speech last month on the Upper Republican NRD's augmentation project and encouraged the Board to seek augmentation, permanent retirement programs and be proactive.

Bill Barger, Culbertson. Asked if we knew the attorney who represented the Lower Platte and stated he thought we should use that attorney. Smith agreed to send him a letter as well.

11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS

A. NRCS REPORT.

1. District Cons. Report. Jason Kennedy reported on the breakdown of the AWEP applications by County, unobligated EQIP funds for temporary irrigated to dry applications, 2010 NRCS Accomplishments and other activities.

B. NARD

1. Report – Anderjaska reported on NARD activities and talked about the tour which will take place in Alliance traveling down through Pathfinder dam in Wyoming. Tour dates are June 13-15 and signup deadline is May 12th. Anderjaska also went over some issues they were dealing with relating to booth costs at Husker Harvest Days, remodeling of the office costs and they were currently working on the budget now.

C. NNRC

1. Report. None.

D. INFORMATION AND EDUCATION – LAWSON.

1. Reports. Lawson went over his report touching mostly on the results of the Regional Envirothon and the Southwest Nebraska Water Conference.

E. REPUBLICAN RIVER BASIN COALITION

1. Reports. Next meeting in Holdrege on April 6th.
2. Basin Study Support.
Nate Jenkins emailed a copy of the findings from the water balance study which was handed out. A final report will be made available sometime this summer.

F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.

1. Reports.
Next meeting will be in Holdrege on April 6th.

G. OTHER AGENCIES OR ASSOCIATIONS.

1. RC&D – Roger Stockton reported on grants received and details relating to the progress made on invasive species removal.

H. LEGISLATION.

1. Sustainability Task Force Report – Anderjaska/Fornoff.
Fornoff reported that the Task Force was scheduled to meet with Senators in Lincoln on Monday and that they were still working on definitions. Anderjaska stated that the committee was about done with the IMP summary and the report is due May 1st.

2. Legislative Updates and consideration of LB 645
Smith discussed the copy of the LB 645 included in the packet. Groundwater Committee discussed this bill and felt that we should support it. Smith included draft testimony. Uerling expressed that he believed this bill would change the percentages between the three districts which he felt would be in our favor.

◆ A motion was made by Uerling and seconded by Cappel to approve Smith and a couple of the Board Members to go to Lincoln to testify.

Ayes- 11 Nays- 0 Motion Carried

12. GROUND WATER MANAGEMENT AREA

A. GROUND WATER MANAGEMENT AREA

1. REPORTS.

(a) **WELL PERMITS**

Report included in packet.

(b) **SURFACE WATER**

Bureau's report handed out.

(c) **METER PROGRAM**

Smith explained water report and the new number of 7.85" for 2010.

Any further corrections that come in will not have a significant change to the numbers.

(d) **AWEP.**

Discussed during NRCS report.

(e) **ARP.**

Smith would like to discuss opening this program up again.

(f) **AG VALLEY COOP.**

Merrigan explained what the coop's plans were for a demonstration site and their need for a 49-50 gpm well. They have requested guidance from the Board as to what they needed to do to be granted a well. After some discussion relating to the location it was determined to be in the Lower Republican NRD.

2. TRANSFERS REQUESTS.

(a) **INITIAL REVIEW LIST – None.**

(b) **FINAL REVIEW – None.**

3. IMP DISCUSSION.

(a) **Management Actions – Leases, Augmentation.**

Will discuss in executive session towards the end of the meeting.

(b) Future Revisions.

None.

4. GROUNDWATER COMMITTEE REPORT.

1. Rules and Regulation Discussion.

Smith discussed focusing on the appendix for now and talking more about the rolling allocation. He will send out copies of the survey's and appendix for all board members to review.

5. NOTICES OF NON-COMPLIANCE ISSUED.

None.

6. CEASE AND DESIST ORDER – AFFIRM STAFF ACTION.

None.

B. GROUND WATER QUALITY MANAGEMENT AREA –

None.

C. OTHER GROUND WATER ACTIVITY

Smith went over the handout relating to overappropriated status, the copy of his letter sent to Brian Dunnigan and the Nebraska Water Balance Alliance agenda.

13. PROGRAMS

A. COST-SHARE FUNDS – LCP/NSWCP.

1. **Approve Applications.** Smith went over the cost share report and answered questions.

♦ A motion was made by Fornoff and seconded by Randel to approve the Cost Share Summary as presented.

Ayes- 11 Nays- 0 Motion Carried

B. WATERSHEDS – REHAB.

1. Progress on 32A and 80A.

No report. In winter shutdown.

2. Review of Future Repairs.

Smith reported that they were still trying to work out a time that would work for everyone to review dams. He also stated that funding may be pulled for 32A but he planned on contacting Senator Nelson to explain the project is 70% complete and it needs to be finished.

C. COMPLAINTS – REPORTS ON PREVIOUS COMPLAINTS.

None.

D. CHEMIGATION.

None.

E. TREE PLANTING.

None.

F. BUFFER STRIPS.

None.

G. LIVESTOCK WASTE CONTROL APPLICATIONS.

None.

14. GENERAL OPERATIONS.

A. PERSONNEL – Personnel & Operations Committee – Select Mbrs, Set date.

Haag requested volunteers. Hoyt, Palic and Stinson all agreed to be on the Committee. The P & O Committee will meet on April 1st.

B. SALES AND RENTAL EQUIPMENT.

None.

◆ A motion was made by Uerling and seconded by McConville to enter into executive session to discuss strategy and groundwater negotiations.

Ayes- 11 Nays- 0 Motion Carried

Chairman Haag restated, for the record, the limitation of the subject matter of the closed session.

Entered into Executive Session at 5:39 pm.

◆ A motion was made by Fornoff and seconded by Randel to exit executive session.

Ayes- 11 Nays- 0 Motion Carried

Exited Executive Session at 6:00 pm.

The meeting was adjourned at 6:01 pm.

The next regular meeting will be held Tuesday, April 12, 2011 at 7:00 p.m., at the Community Center at 201 Garlick Avenue in Curtis, Nebraska.

Stacie M. Owens
Board Secretary