

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Tuesday, March 11, 2014 at 7:30 PM**  
**Curtis, Nebraska**

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

**Board Members Absent:** None

**NRD Staff:** Jack Russell, Bob Merrigan, Stacie Owens, Sylvia Johnson

**NRCS Staff:** Jason Kennedy, Kort Kemp

**Others:** William M. Barger, Dick Hasenauer, Ed Merritt, Randy Bollish, Karen McDaniel, Denny McDaniel, Dan Estermann, Marlene Estermann, Jane Widener, Shane Rippen, Brian Schafer, Greg Burrows, Clint Sheets, Randy Robinson, Ryan Kuhlman, Courtney Schrotberger, Lorn Dizmang

**Information E-mailed to Directors:**

Ground Water Management Appendix	eResources dated 2/11, 2/19, 2/25, 3/4
NARD Leg Conf Business Session Min	Groundwater Meeting
Leg Update dated 2/7, 2/14, 2/21, 2/28/3/7	Letter from DNR in response to MRNRD
LB1074	Letter from Nebraska DNR
Upcoming Hearings through Feb 28	NDNR Response to Bureau, LB1074, Compact Call
News Release dated 2/18/14	News Articles February 19
Hearings Feb 24-28	Bureau of Reclamation WSYA Notification
Ryan NE DNR 2-28-2014	Water Projects get tentative funding
Lathrop AM to LB1074	New Lathrop AMD to LB 1074
AM2136; LB 1074 Latrhop AM 2136	KRVNNRR040313

**Information Mailed to Directors:**

Agenda	R & R Public Hearing Minutes
Regular Meeting Minutes	Variance Hearing Minutes
Financial Report	Profit & Loss Budget vs Actual
Civil Rights Handout	Surface Water Report
ARP Application	USGS Report
Election filings	

**Information Distributed at Meeting:**

Well Permit Report	Draft Letter by Hoyt
Cost-Share Summary	

**REGULAR MEETING**

1. The regular monthly board meeting was called to order by Chairman Haag at 7:30 pm.
  - a. Verify Quorum.
  - b. Excused Absences – None.
  
2. The agenda and roster were circulated to those present.
  - a. Items added to the Agenda since mailing: None.

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 February Rules and Regulations Public Hearing, Regular Board Meeting and Variance Hearing were mailed to Directors.

- ◆ Hoyt moved to approve the Minutes from the February Rules and Regulations Hearing, Regular Board Meeting and Variance Hearing. Seconded by Cappel.  
Ayes - 11      Nays – 0      Motion Carried

5. Open Hearing for Variance Request. None

6. Close Hearing.

### **7. CONSIDER VARIANCE REQUEST**

None

### **8. FINANCIAL ACTIONS**

A. The February Financial Report and Profit and Loss Budget vs Actual were presented by Russell. The taxes received were \$242,781.21.

- ◆ Hoyt moved to approve the February Financial Report and Profit and Loss Budget vs Actual as presented. Seconded by Uerling.  
Ayes - 11      Nays - 0      Motion Carried

A copy of this report is filed with the Minutes.

### **9. LEGAL MATTERS**

A. Compliance Issues.

Russell reported on the Arbitrator Hearing in Lincoln. A decision is anticipated towards the end of the year.

B. Barger and Others vs. MRNRD.

Russell reported that they were working towards scheduling a time in April for both parties to present oral arguments before a Judge.

### **10. OPEN FORUM**

Dick Hasenauer, Dickens. Expressed concerns over water allocation being set to high, those who conserved should have more and occupation tax does not encourage water conservation.

William M. Barger, Culbertson. Does not believe any more water rights should be purchased without knowing what credit will be given to the District by the State.

Dan Estermann, Wellfleet. Expressed concerns over N-CORPE.

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

**A. Natural Resources Conservation Service (NRCS)**

1. District Conservation Report – Kennedy went over new information he just received relating to the farm bill and delays they are experiencing which are out of their control.

**B. Nebraska Association of Resources Districts (NARD)**

1. Report – Anderjaska reported that they are working on renewing the insurance with the underwriters. Increase may be only around 2-3%. They are still working with Obamacare issues and costs relating to it. The preliminary budget will hopefully be available next month which will need to be voted on.

**C. Nebraska Natural Resources Commission (NNRC)**

1. Report – Fornoff state that there has been no meeting. Next meeting is scheduled in June.

**D. INFORMATION AND EDUCATION.**

1. Report. Russell reported on the results of the Envirothon and Water Conference. He will be working on the annual report and stated that the MRNRD is responsible for hosting two range judging contests this fall.

**E. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION (NeRRMDA)**

1. Report – Hoyt/Fornoff. Hoyt reported that the meeting scheduled for February 19<sup>th</sup> had been cancelled and has yet to be rescheduled.

**F. RRCA.**

None.

**G. LEGISLATION.**

1. NE Water Funding Task Force Report – Fornoff reported that they had attending hearings in Lincoln relating to the expansion of the Task Force and answered questions from the board relating to funding available for projects.

Discussion was held relating to a newly released amendment to LB1074. Russell handed out hardcopies of the amendment to the board. Hearing is scheduled for Tuesday, March 18<sup>th</sup>. Further discussion was held relating to finding a way to address concerns with some of the language in the bill.

♦ Hoyt moved to authorize Russell to testify in the neutral on LB1074. Seconded by Uerling.

Ayes – 8

Nays – Loomis, Randel, Anderjaska

Motion Carried

**H. N-CORPE.**

1. Status Report

Next meeting will be March 19<sup>th</sup>. Started cycling the wells two at a time for testing purposes.

2. Construction Progress.

Russell reported that he had met with the engineers and school land people on the Wellfleet dam. They are still working on getting a couple more agreements and culverts in but

hope to get that finalized within the next couple of weeks. Loomis reported on other items being discussed i.e. grass seeding contracts, purchasing an excavator and truck to clean out culverts, selling or leasing potato sheds and grain bins.

**I. OTHERS.**

None.

**12. GROUND WATER MANAGEMENT AREA**

**A. GROUND WATER MANAGEMENT AREA**

**1. REPORTS**

**(a) WELL PERMITS**

Merrigan went over report.

**(b) SURFACE WATER**

Bureau's report included in packet.

**(c) METER PROGRAM**

Owens stated that water reports were now going out to producers.

**(d) EQIP/ARP.**

Merrigan went over ARP application from Wolfe's at a bid price of \$2,000 per acre. Discussion held.

- ◆ Uerling moved to direct Merrigan to offer \$1,750 per acre for the 28 acres. Seconded by Hoyt.

Ayes - 11      Nays - 0      Motion Carried

**(e) GROUND WATER COMMITTEE – pooling changes.**

Russell stated that there was still work to be done on the language and he wants Schroeder to review the changes to ensure all potential legal issues are addressed properly before it goes to the committee.

**2. RULES AND REGULATIONS – order published, effective March 10<sup>th</sup>.**

Order is completed and the new Rules and Regulations have been printed.

**3. IMP – DNR DISCUSSION.**

Russell went over the results of his meeting with DNR. Russell will discuss percentage changes with the Upper and Lower Republican Districts. He also went over requests for information he made to DNR which he will continue to try to obtain.

Discussion was held on looking into an engineer or hydrologist to help get better information.

- ◆ Uerling moved to direct Manager to look into finding an engineering firm to help with data collection. Seconded by Hoyt.

Ayes – 11      Nays – 0      Motion Carried

**4. NOTICES OF NON-COMPLIANCE ISSUED.**

None.

**5. CEASE AND DESIST ORDER.**

None.

**6. TRANSFER REQUESTS:**

- a. Initial Review – NONE.
- b. Final Review – NONE.

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

None.

**C. OTHER GROUND WATER ACTIVITY**

None.

**13. PROGRAMS**

**A. COST-SHARE FUNDS – LCP/NSWCP.**

**1. Approve Applications.** Johnson went over the cost share report.

- ◆ Hoyt moved to approve the March Cost Share Report as presented. Seconded by Uerling.

Ayes – 10      Nays – 0      Abstain - Palic      Motion Carried

**B. WATERSHEDS.**

None.

**C. EROSION AND SEDIMENT CONTROL ACT.**

None.

**D. COMPLAINTS – Reports on previous complaints.**

None.

**E. CHEMIGATION.**

None.

**F. TREE PLANTING.**

None.

**G. BUFFER STRIPS.**

None.

**H. LIVESTOCK WASTE CONTROL APPLICATIONS.**

None.

**14. GENERAL OPERATIONS.**

**A. PERSONNEL.** Russell stated he will begin to look for a new I & E employee and plan on hiring an outside company for computer support.

**B. SALES AND RENTAL EQUIPMENT.**

None.

**C. ELECTIONS.**

Incumbents: Stinson, Randel, Palic, Hoyt, Fornoff, Cappel

Non-Incumbents: Brian Schafer, William M. Barger, Shane Rippen, Jay Schilling,  
Marty Schurr

**D. PERSONNEL & OPERATIONS COMMITTEE: Stinson, Hoyt, Cappel. Set date.**

Russell set up a meeting with the committee members on Thursday, March 20<sup>th</sup> at 1 PM at the NRCS office in McCook.

**E. BUILDING IMPROVEMENTS BIDS.**

Russell went over improvements that need to be done in the office. Merrigan gave the one bid received which was just under \$10,000. The Board requested Merrigan to try to get two additional bids.

- ◆ Palic moved to direct Merrigan to attempt to get two addition bids within a reasonable timeframe and accept the lowest one received. Seconded by Anderjaska.

Ayes – 11      Nays – 0      Motion Carried

The next regular meeting will be held Tuesday, April 8, 2014 at 7:30 p.m. at the Community Center, at 201 Garlick Avenue, Curtis, Nebraska.

The meeting was adjourned at 9:29 pm.

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Stacie M. Owens  
Board Secretary