

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Tuesday, February 14, 2017 at 1:30 PM**  
**McCook, Nebraska**

**Board Members Present: Joe Anderjaska, Shane Rippen, Jay Schilling, Rick McConville, John Palic, Buck Haag, Benjie Loomis, Brad Randel, Kevin Fornoff, Steve Cappel, Brian Schafer, Rick Spencer, Jolene Messinger**

**Board Members Absent:** None

**NRD Staff:** Jack Russell, Bob Merrigan, Alex Boyce, Sylvia Johnson, Doris Burke

**NRCS Staff:** Jason Kennedy, Carol Lashley, Kaila Kressin

**Others:** Connie Discoe, Ralph Scott, Bill Hoyt, William M. Barger, Ryan Huxoll, Kort Kemp, Roger Goltl

**Information Mailed to Directors:**

Agenda	Minutes
Financial Report	Legal Summary
Profit & Loss Budget vs Actual	Civil Rights Handout

**Information Distributed at Meeting:**

N-CORPE Pumping History	Draft Rules & Regs, 2-14-17
USGS Press Release	USGS Water-Level Changes
Cost Share Summary	

**Information E-mailed**

Republican Basin Banquet & Replies	NARD list through Day 9
NARD Bills – Day 10	January 27 NARD Legislative Update

**REGULAR MEETING**

1. The regular monthly board meeting was called to order by Chairman Haag at 1:30 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**. 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 January Regular Board Meeting were mailed to Directors.

*Cappel arrived at 1:32 PM.*

- ◆ Schilling moved to approve the minutes of the January Regular Board Meeting. Seconded by Spencer.  
Ayes - 13      Nays – 0      Motion Carried

**5. CONSIDER VARIANCE REQUEST**

None.

**6. FINANCIAL ACTIONS**

A. The January Financial Report was presented by Russell. The taxes received were \$832,441.94.

- ◆ Schilling moved to approve the January Financial Report. Seconded by McConville.  
Ayes - 13      Nays - 0      Motion Carried

A copy of this report is filed with the Minutes.

**7. OPEN FORUM**

William M. Barger, Culbertson. Spoke about an article on water in the Nebraska Farmer magazine. Stated that the board members should have to raise their hand and wait to speak until the Chairman called on them. Requested the pooling agreement deadline be extended 30-40 days past March 1<sup>st</sup>.

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

**A. NRCS**

1. District Conservation Report – Kennedy reported that they are working on the funding for the RCCP applications. Connie Elson has started as the secretary in the Curtis office.

**B. NARD**

1. Report – Rippen reported on legislative conference. The Washington DC trip will be March 20-22<sup>nd</sup> if anyone is interested in attending. He will be taking over as Treasurer starting at the next meeting.

**C. NNRC**

1. Report – Fornoff stated that the next meeting will be on February 22<sup>nd</sup> in Kearney at the Holiday Inn at 9 am.

**D. INFORMATION AND EDUCATION**

1. Report – Johnson reported on going to Lincoln to listen to testimony on Senator Friesen and Senator Groene’s bills. She has been making rounds with the Natural Resource Committee members trying to keep up with what they are doing. The logo has been completed and she will be sending it out to everyone soon. The USGS has finished the map which is in the board packets along with a press release.

**E. RRCA.**

None.

**F. LEGISLATION**

1. 1098 – Basin Planning. Russell stated that the January stakeholder’s meeting was postponed due to the weather.

2. Senator Groene’s Bills. Russell would like to testify neutral on LB218. Discussion held.

- ◆ Schilling moved to approve Russell to go testify as neutral on LB218. Seconded by Loomis.  
Ayes - 13      Nays - 0      Motion Carried

Anderjaska expressed his concerns on the bill. Schilling stated that he will be testifying in support of the bill from an individual standpoint and also stated that he is aware there is a lot of clean up that needs to be done on it.

**G. N-CORPE**

1. Status Report. Loomis reported that Bruce Lefler came to the last meeting to explain the bonding and that there’s an option to purchase bonding insurance which will give us a better rating and, in turn, a better rate. He is supposed to attend the next meeting as well and provide more details.

2. Approve Quarterly Billing. Russell stated that we have received the quarterly billing for \$131,000. He has requested an itemized bill and a budget but has not received anything yet. Discussion held.

- ◆ McConville moved to wait to pay the bill until we get more clarification. Seconded by Rippen.  
Ayes - 11      Nays – Loomis, Fornoff      Motion Carried

3. Other.

Russell went over the pumping history on N-CORPE that Boyce put together. Loomis also reported that they are looking at having a third party audit of N-CORPE books and most likely will be voting on what company to use at the next meeting. They are potentially looking at doing a land trade for ground closer to the project. They are in the process of shutting the wells down now.

**H. OTHERS**

None.

**9. GROUND WATER MANAGEMENT AREA**

**A. GROUND WATER MANAGEMENT AREA**

**1. REPORTS**

**(a) WELL PERMITS.**

None.

**(b) SURFACE WATER**

None.

**(c) METER PROGRAM**

None.

**(d) GROUNDWATER COMMITTEE**

Russell went over the last meeting they had on rules and regulations and Lindstrom is reviewing the final draft now. Once we have a decision from the Supreme Court on the Medicine Creek case, we will move forward to set up a hearing and finalize the rules.

**(e) FRENCHMAN VALLEY COMMITTEE.**

Russell reported that he has both contracts on the Enders and Culbertson canal water.

**(f) MODELING – BROWN & CALDWELL**

Russell is working with them on getting a proposal on the Red Willow. He will plan on taking it to the Upper Republican and Twin Platte to see if they would like to participate.

**(g) TZA PROPOSAL.**

None.

**2. RULES AND REGULATIONS**

Discussed under groundwater committee report.

**3. IMP**

None.

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

None.

**5. CEASE AND DESIST ORDER**

None.

**B. GROUND WATER QUALITY MANAGEMENT AREA**

None.

**C. OTHER GROUND WATER ACTIVITY**

None.

**10. PROGRAMS**

**A. COST-SHARE FUNDS – LCP/NSWCP.**

1. Approve Applications.

- ◆ Fornoff moved to approve the cost share report. Seconded by Cappel.

Ayes - 13      Nays – 0      Motion Carried

**B. WATERSHEDS.**

Merrigan reported that the emergency action plan has been completed.

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

None.

**D. COMPLAINTS.**

None.

**E. CHEMIGATION.**

Chemigation forms are being sent out now.

**F. TREE PLANTING.**

Campbell is working with the field office secretaries on the tree program.

**G. BUFFER STRIPS.**

None.

**H. LIVESTOCK WASTE CONTROL APPLICATIONS.**

None.

**11. GENERAL OPERATIONS.**

**A. PERSONNEL.**

None.

**B. SALES AND RENTAL EQUIPMENT.**

None.

**12. LEGAL MATTERS**

**A. Compact Issues.**

Russell reported that he has sent the management actions in to DNR which Fasset stated he would approve them as they came in. Jesse Bradley has gone back to work at DNR.

**B. Other.**

**13. EXECUTIVE SESSION**

- ◆ Loomis moved to enter into executive session to discuss personnel, possible litigation and N-CORPE issues with the Board, Manager and staff. Seconded by Fornoff.

Ayes - 13      Nays – 0      Motion Carried

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

Entered at 2:37 pm.

- ◆ Palic moved to exit the executive session. Seconded by Schafer.  
Ayes - 13      Nays – 0      Motion Carried

Exited at 3:36 pm.

The next regular meeting will be held Tuesday, March 14, 2017 at 7:30 p.m. at the Curtis Community Center.

The meeting was adjourned at 3:38 pm.

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Stacie M. Owens, Board Secretary