

**MINUTES**  
**LOWER REPUBLICAN NATURAL RESOURCES DISTRICT**  
*Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE*  
February 12, 2015 at 2 pm

**Board of Directors Meeting**

A notice of the meeting was published in the local newspapers within the District and on the District Website at [www.lnrdr.org](http://www.lnrdr.org).

**INFORMATIONAL MATERIAL MAILED OUT PRIOR TO THE MEETING**

1. Agenda, 2/15
2. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 1/15
3. Treasurer's Report, 1/15
4. Manager's Report
5. Assistant Manager's Report
6. NRCS Report
7. Maximum Water Utilization – Lee Fintel
8. Chemigation Rules and Regulations and Order
9. LRNRD Groundwater Rules and Regulations & Order
10. Change in Location of Certified Acres on Contiguous Property
  - a.) ***Darleen K. Nielsen Testamentary Trust***
  - b.) ***Gene Kruse***
  - c.) ***Doug Robison***
  - d.) ***Gary Shipman***
11. Variance Request
  - a.) ***Arnold & Lorraine Schoen #228***
  - b.) ***Darleen K. Nielsen Testamentary Trust #229***
12. NCORPE Treasurer's Report, 1/15
13. NARD Summary of Legislative Bills, 2015
14. Rural Water District Treasurer Report, 1/15

**MATERIALS HANDED OUT AT THE MEETING:**

1. Agenda, 2/15
2. LRNRD Order Adopting Chemigation Rules and Amendments to Ground Water Management Rules and Regulations

Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order at 1:52 p.m. Marlin Murdoch noted that guests could sign the attendance roster and noted the location of a current copy of the statutes dealing with public meetings laws and the booklet with the information provided to directors.

Directors present: Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel.

Absent: Roger Nelson, Nelson Trambly, Brad Wulf.

Others present: Jerry Kovarik, NRCS, Andy Raun, Hastings Tribune, Troy Fletcher, Oxford. Staff present: Mike Clements, Scott Dicke, Shirlee Poyser, and Kristi Heft.

**Motion #1 by Bill Bose seconded by Matt Harrison to approve the board minutes, and variance minutes from the January Board Meeting. Motion carried.** Ayes 8 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #2 by Tim Kahrs seconded by Matt Harrison to approve the LRNRD Treasurer's Report as presented. Motion carried.** Ayes 8 – Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Clark Andrews. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

Mike Clements reported that the Twin Valley Weed Management was awarded a \$328,000 grant from the Nebraska Environmental Trust for deep disking work on the Little Blue River and Republican River, spraying Phragmites and willows and lastly cleaning and thinning Prairie Dog Creek. TVWMA plans to purchase a new Argo this year. A full copy of the Manager's report is in the minute book.

Scott Dicke reviewed his report and additional discussion included the Republican River Basin Planning with the availability to add additional stakeholders. A complete copy of this report is in the minute book.

Mike Clements announced UNL and CNPPID water tour in June. They will be touring the Republican River Basin. Mike asked the board if they would be willing to contribute \$1,500 to tour expenses.

**Motion #3 by Clark Andrews seconded by Terry Hoit to contribute \$1,500 to the UNL & CNPPID Water Tour. Motion carried.** Ayes 8 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Clark Andrews, Dave Bartels. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

Lee Fintel talked for 45 minutes on Maximum Water Utilization using magnation water technology.

Jerry Kovarik gave the NRCS report and updated the board on EQIP, CSP and the Conservation Stewardship Program. A copy of this report is in the minute book.

Scott Dicke presented the LRNRD Chemigation Rules and Regulations and the Associated Order for approval.

**Motion #4 Dave Bartels seconded by Bill Bose to adopt the Chemigation Rules and Regulations as proposed and the fees established by the district are sufficient to cover the ongoing administrative costs and the costs of annual inspection programs by the district, and the fees established by the district are in the amount necessary to pay reasonable costs of administering the permit program under the Chemigation Act and to issue the Associated Order. Motion carried.** Ayes 8 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Clark Andrews, Dave Bartels. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

Scott Dicke presented the LRNRD Groundwater Rules and Regulations Changes. Rule 7-9, Actions following issuance of cease and desist order that change cease and desist from ten days to three days and the associated order for approval.

**Motion #5 by Terry Hoit seconded by Toby tenBensel to approve the LRNRD Groundwater Rules and Regulations Rules 7-9, Actions Following Issuance of Cease and Desist Order that change cease and desist from ten days to three days and to issue the Associated Order. Motion carried.** Ayes 7 – Matt Harrison, Terry Hoit, Marlin Murdoch, Toby tenBensel, Clark Andrews, Dave Bartels, Bill Bose. Nays 1 – Tim Kahrs. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

Board discussion was held on board meeting times. No motion was made. It was decided to have it put on the March agenda for further discussion.

The board discussed setting a 2015 allocation cap. No decision was made on the 2105 allocation cap.

**Motion #6 by Tim Kahrs seconded by Matt Harrison to table setting the 2015 allocation cap. Motion failed.** Ayes 4 – Tim Kahrs, Dave Bartels, Matt Harrison, Terry Hoit. Nays 4 – Marlin Murdoch, Toby tenBensel, Clark Andrews, Bill Bose. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #7 by Matt Harrison seconded by Dave Bartels to approve all Change in Location of Certified Acres on Contiguous Property for: Darleen K. Nielsen Testamentary Trust, Gene Kruse, Doug Robison, and Gary Shipman. Motion carried.** Ayes 8 – Marlin Murdoch, Toby tenBensel, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #8 by Toby tenBensel seconded by Clark Andrews to approve Arnold and Lorraine Schoen's Variance Requests #228. Motion carried.** Ayes 8 – Toby tenBensel, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #9 by Tim Kahrs seconded by Bill Bose to approve Darleen K. Nielsen Testamentary Trust Variance Request #229. Motion carried.** Ayes 8 – Toby tenBensel, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #10 by Matt Harrison seconded by Toby tenBensel to approve the NCORPE Treasurer's Report. Motion carried.** Ayes 8 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #11 by Bill Bose seconded by Tim Kahrs to approve the Rural Water Treasurer's Report. Motion carried.** Ayes 8 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #12 by Clark Andrews seconded by Bill Bose to move that the Board go into Executive session at 3:46 p.m. to strategize pending or imminent litigation. Motion carried. Chairman admonished the board that this is the only subject that can be discussed in closed session.** Ayes 8 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

**Motion #13 by Clark Andrews seconded by Matt Harrison move that the Board come out of Executive Session at 5:20 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried.** Ayes 8 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel. Nays 0. Absent 3 - Roger Nelson, Nelson Trambly, Brad Wulf.

The meeting was adjourned at 5:20PM.

The next regularly scheduled board meeting will be March 12<sup>th</sup>, 2015 starting at 2:00PM with a variance hearing.

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Secretary

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Date