

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
March 12, 2020 at 2:00 pm

Board of Directors Meeting

A notice of the meeting was published on the District Website at www.lnrnd.org.

Chairperson Marlin Murdoch called the meeting of the Lower Republican Natural Resources District (LRNRD) Board of Directors to order with an invitation to prayer at 2:30pm. Guests were asked to sign the attendance roster. The chairman provided notice that the location of the current copy of the statutes dealing with public meetings laws is located on the south wall and the booklet with the information is provided to all directors.

MATERIAL E-MAILED OUT PRIOR TO THE MEETING & AVAILABLE AT THE MEETING

Agenda

LRNRD Board Meeting Minutes, Index of Decisions

LRNRD/RWP Treasurer's Report

Staff Report, NRCS, LRNRD

Variance Requests:

Meyers Family Trust #278, Republican Valley Feed Yard, LLC #279, WCG land & Cattle LLC #280, Winchester LLC #281, and Bryan & Jean Nitchie Rev. Trust #282.

Change in Location of Certified Acres on Contiguous Property:

Meyers Family Trust, Grazer's Inc., and WCG Land & Cattle LLC.

Directors absent: Roger Nelson.

Directors present: Clark Andrews, David Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf.

Others present: Jerry Kovarik, NRCS, Joe Haas, Orleans, Deb Klingenberger, Inavale, Bryan Nitchie, Holdrege, Kathy and Ric Meyers, Holbrook, Jason Anderson, Arapahoe, Isaac Kuck, Bertrand, Chelsea Erickson, Stockton, KS, John Thorburn, TBNRD. Staff present: Todd Siel, Scott Dicke, Shirlee Poyser, Kristen Heft.

Comments from the Public: None

Motion #1 by Tim Kahrs seconded by Bill Bose to approve the LRNRD board minutes. Motion carried.

Ayes 10, Nays 0. Absent 1.

Motion #2 Matt Harrison seconded by Toby tenBensel to approve the LRNRD and RWP Treasurer's Report as presented. Motion carried. Ayes 10, Nays 0. Absent 1.

NRCS Report: Jerry Kovarik, gave the NRCS report. Jerry reviewed EQIP, RCPP, CSP and ECP programs. Todd Siel mentioned that the NRCS/NRD Memorandum of Understanding (MOU) has been approved and signed. We are now working on the local Cooperative Agreement between the NRCS and the LRNRD. Producers are concerned with the Migratory Bird Treaty Act, not allowing field work from March 9th through April 29th. After reaching out to Nebraska's congressional delegates and the state FSA office, one local producer received word that an announcement with changes may be forthcoming.

LRNRD Staff Report: Managers Todd Siel and Scott Dicke reviewed the NRD staff report. Scott introduced Franklin Co. Field Secretary Deb Klingenberger. Papio-Missouri River NRD will be hosting the NRD Basin Tour June 8th and 9th. Jesse Bradley is now the acting Director at NeDNR. Republican River Basin Wide Plan (RRBWP) First Annual Meeting was held on February 20, 2020 in Cambridge, NE. A presentation of the information contained in the Annual Report was given to all interested stakeholders and guests in attendance. NeDNR and the Republican Basin NRDs took a turn at presenting their "facts & figures" to those in attendance. A copy

of the Annual Report has been emailed to Directors and staff and the entire plan is available for viewing at the LRNRD office.

Superior Hardy SPA - Every four years producers in the SPA are required to have a nitrogen applicators certification. The LRNRD and the Little Blue NRD provided a training class for the certification. This year the class was conducted at the Superior Country Club where nearly 60 producers received their certification.

Meyers Family Trust Variance Request #278 and Change in Location of Certified Acres on Contiguous Property was presented to the board.

Motion #3 by Bill Bose seconded by Nelson Trambly to approve variance request #278 and Change in Location of Certified Acres on Contiguous Property for the Meyers Family Trust, Ric Meyers. Motion carried. Ayes 10, Nays 0. Absent 1.

The Republican Valley Feed Yard, LLC variance request #279 was presented to the board.

Motion #4 by Nelson Trambly seconded by Bill Bose to deny request for a replacement well on Variance Request #279, Republican Valley Feed Yard, LLC. Motion carried. Ayes 10, Nays 0. Absent 1.

Motion #5 by Bill Bose seconded by Clark Andrews to approve variance request #279, to allow the transfer of 63.1 certified acres that utilize irrigation from existing well (G-000819), Republican Valley Feed Yard, LLC. Motion carried. Ayes 8, Nays 1 - Matt Harrison, Absent 1, Abstain 1 - Marlin Murdoch.

WCG Land & Cattle, LLC variance request #280 and Change in Location on Contiguous Property of Grazers, Inc. was presented to the board.

Motion #6 by Tim Kahrs seconded by Brad Wulf to approve variance request #280 for WCG Land & Cattle, LLC and Change in Location of Certified Acres on Contiguous Property for Grazers, Inc. Motion carried. Ayes 10, Nays 0. Absent 1.

WCG Change in Location on Contiguous Property for WCG Land & Cattle, LLC was presented to the board.

Motion #7 by Tim Kahrs seconded by Clark Andrews to approve Change in Location of Certified Acres on Contiguous Property for WCG Land & Cattle, LLC. Motion approved. Ayes 10, Nays 0. Absent 1.

Winchester, LLC variance request #281 was presented to the board

Motion #8 by Bill Bose seconded by Clark Andrews to approve variance request #281 for Winchester, LLC. Motion carried. Ayes 9, Nays 0. Absent 1, Abstain 1 - Marlin Murdoch.

Bryan & Jean Nitchie Rev. Trust variance request #282 was presented to the board.

Motion #9 by David Bartels seconded by Toby tenBensel to approve variance request #282 for Bryan E. & Jean A. Nitchie Rev. Trust. Motion approved. Ayes 10, Nays 0. Absent 1.

Rural Water Update: The Nebraska Rural Water annual meeting was held on March 10th, 2020 in Kearney, NE. Todd Siel, Dave Bantam, Mark Bantam, Mary Goebel and Garold Ohmstede attended the meeting. Todd mentioned it is a bit alarming that the RWP is behind on infrastructure. Repair work on two of the three pressure reducing vaults are necessary. Quotes for the two vaults should be received before the next board meeting. The Guide Rock vault was completely refurbished last fall. The State of Nebraska Department of Transportation (DOT) will be restructuring Highway 136 from Riverton to Red Cloud in 2020 and 2021. It has been determined that a portion of the 2½" rural water line will have to be moved. According to NDOT, LRNRD Rural Water should be reimbursed for having to move the water line.

Platte-Republican Diversion Project (PRD) Update: – The NeDNR issued an order on February 27th based on the June 28th, 2019 "Show Cause" hearing pertaining to the PRD application.

To be clear:

- The order **did not** deny the PRD application, but stipulated that the PRD should be the *sole Applicant* and dismissed CNPPID as a co-applicant,

- The order provides PRD 120 days to file an amended application as the *sole Applicant* along with an updated water services agreement allowing PRD to use CNPPID facilities, and;
- The order directed PRD to consult with the NeDNR for additional applications on storage and storage use.

It's encouraging that the order states, *"It is important to note at the outset that the Department is not disputing that "interstate compact compliance" is an appropriate beneficial use of water for an interbasin transfer... Nor is the Department disputing the fact that Central may be the proper holder of an appropriation on its own or on behalf of third parties for beneficial purposes within their statutory authorities."*

Additionally, the order recognizes that *PRD is one set of the Department's partners in managing the State's water in the Basin for the Compact Compliance.*

NCORPE Update: During the last NCORPE meeting contracts were looked at in executive session. There was discussion on what could be made public on those contracts. Guidance was requested from the Attorney General's office, with anticipation of hearing back next week on their opinion and disclosure of contracts.

NARD Update: Senator Groene's LB 845 and Senator Hughes' LB 802 are still in committee. NCF-National Envirothon is scheduled for late July.

Other Business: Nothing to report.

The next regularly scheduled board meeting will be April 9th at 7 p.m.

The meeting was adjourned at 3:13pm.

Secretary

Date