



## LOWER REPUBLICAN NRD – BOARD MEETING MINUTES

Lower Republican NRD Meeting Room,  
30 North John, Alma, NE  
February 9, 2023, at 2:00pm

### BOARD OF DIRECTORS MEETING:

Meeting notices were published in the Harlan County Journal and on the District Website at [www.lnrnd.org](http://www.lnrnd.org). Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order with an invitation to prayer at 2:00pm. The chairperson provided notice that the location of the current copy of the statute dealing with public meetings laws is located on the south wall. Guests were asked to sign the attendance roster.

Excused Absences: Matt Harrison, Nelson Trambly, Brad Wulf.

Directors present: Clark Andrews, David Bartels, Don Duffy, Lee Fintel, Troy Fletcher, Tim Kahrs, Marlin Murdoch, Toby tenBensel.

Others present: Jerry Kovarik, NRCS, Mike Hynek, Mike Karr.

Staff present: Todd Siel, Nick Simonson, Shirlee Poyser, Kristen Heft.

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

#### Agenda

LRNRD Board Meeting Minutes, 1/23

LRNRD/RWP Treasurer's Report, 1/23

LRNRD/NRCS Staff Report, 2/23

Variance Request #316 – Michael Karr

Variance Request #317 – Mike Hynek

**Motion #1 by Tim Kahrs seconded by Don Duffy to approve the January minutes as presented. Motion carried. Ayes 8 Nays 0, Absent 3.**

**Motion #2 by Toby tenBensel seconded by David Bartels to approve the LRNRD and Rural Water Treasurer's reports for January. Motion carried. Ayes 8 Nays 0, Absent 3.**

**NRCS Staff Report:** Jerry Kovarik gave the NRCS report. Jerry reported on EQIP and CSP. A full report is in the minute book. The Local Work Group meeting has been set for Thursday, February 23, 2023, at 10:00 AM.

**LRNRD Staff Report:** Managers Todd Siel and Nick Simonson gave the NRD staff report. Todd, Nick, Mary, and Shirlee along with Marlin, Dave, Nelson, Lee, and Don attended the annual Legislative Conference in Lincoln. Guest speaker, newly elected Governor Jim Pillen spoke to the group. It was refreshing to listen to a farmer speak about real world experiences he has had throughout his life with Pillen Family Farms.

The South-Central Water Conference was held on January 31 at the Ag Center in Holdrege. As we are a co-sponsor, office staff all showed up to help with the conference. Total attendance was approximately 80, including producers and agency staff. Devin Brundage with CNPPID was the keynote speaker. Devin, Scott Dicke, and Corey Steinke all presented on the current happenings and projects going on within their system.

**Change in Location of Certified Acres on Contiguous Property:** Staff approved a variance request for Frerichs Farms; Cecil Schriener is the operator.

The variance Request for Gale Lush was tabled at the January board meeting. Gale worked with staff on moving acres around, but it did not work with the model. Lush, asked staff to not act on the request at the board meeting.

Variance Request #316 Mike Karr was presented to the board.

**Motion #3 by David Bartels seconded by Tim Kahrs to approve Variance Request #316 for Mike Karr - Rule 6-5.1 Water Transfer, with the provision of staff approval of the pending legal agreement. Motion carried. Ayes 8 Nays 0, Absent 3.**

Mike Hynek asked the board to amend his previous Variance Request #311. Then presented Variance Request #317 to the board.

**Motion #4 by Clark Andrews seconded by Lee Fintel to amend Mike Hynek's Variance Request #311 from Section 36-2-9 to 15-2-9 in Webster County and approve Variance Request #317 - Rule 6-5.1, Water Transfer, Section 15-2-9 Webster County. Motion carried. Ayes 8 Nays 0, Absent 3.**

**Rural Water Update:** Manager Siel spoke to the board about the possibility of selling the Rural Water building in Franklin. Manager Siel will prepare a draft bid package to present at the March meeting. According to Nebraska Department of Environment and Energy (NDEE), some of the Rural Water stock tank units are in violation of their rules. We will evaluate individual locations this spring.

**Platte to Republican High Flow Diversion Project (PRD) Update:** The Nebraska Department of Natural Resources (NeDNR) granted our motion to dismiss all objectors. The next step will be formulating briefs to address the appeals filed by 5 of the objectors.

**Flag Creek Update:** New augmentation well bids were received from the well contractors. Holdrege Well Service attempted to get a drill rig down to the monitoring well location, but mud and ice have prevented any progress on this. We should receive a contract with Twin Valley PPD regarding the 3-phase line later this month. We anticipate conducting the test pump from the augmentation well this spring.

**Motion #5 by David Bartels seconded by Don Duffy to accept the augmentation well bid of \$94,714.00 from Holdrege Well Service for the Flag Creek Augmentation Project. Motion carried. Ayes 8 Nays 0, Absent 3.**

**NCORPE Update:** The lease payment from Invenergy was received on Monday. NCORPE Manager Kyle Shepherd will distribute payments to the NRDs accordingly.

**Watershed & Flood Prevention Operations Environmental Assessment Plan and Design (WFPO EA Plan):** Efforts continue to complete both WFPOs in Turkey and Thompson Creek watersheds but have gotten behind schedule. A request for extension on both projects to the NRCS will be submitted. The grants are scheduled to be completed by March 31<sup>st</sup> and we will be requesting an extension for 12 months to get them completed. Olsson made staff changes; Jim Schneider is now handling all duties as the WFPO Project Manager.

**WaterSMART Grant:** The telemetry enabled flowmeter project is slowly progressing. The first challenge is getting to existing meter sites for pre-installation inspections. The technicians are doing their best, but weather conditions have made it difficult at times. They will continue to make site visits as conditions allow. The next hurdle is the Buy America Preference requirement that was put into place with the Infrastructure Investment and Jobs Act. This requires a certain amount of the materials in the meters to be from a source in the United States. While working with McCrometer to accomplish this requirement the increase in cost was going to exceed the 25% threshold that is considered unreasonable. The Bureau of Reclamation/Department of Interior will have to approve a waiver that allows us to purchase the meters with their current manufacturing sources. We will continue to move forward on the parts of the grant that we can as we wait for the waiver to be approved.

**NARD Update:** New legislative bills were presented at conference. Manager Siel specifically referred to LB396 (Senator Erdman), LB218 (Senator Ibach), and LB281 (Senator Jacobson). Lower Loup NRD will be looking at restricting commercial nitrogen applications in the fall across their entire district as a Best Management Practice for water quality. While most of the focus in Natural Resources is on a lake by Lincoln and a Canal in Colorado, we feel that this will be a good session for the NRDs.

**Other Business:** A hearing is scheduled for March 10<sup>th</sup>, at 10 am, for the heirs of Gerald Schluntz.

The next regularly scheduled board meeting will be March 9<sup>th</sup>, 2023, at 2:00pm.

Meeting adjourned at 3:42pm.