



## UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

**Board of Directors' Meeting  
July 10th, 2014**

In accordance with LB 325, Eighty-fourth Legislature, First Session (1975), the Upper Niobrara White Natural Resources District held a public meeting at 9:00 a.m. on Thursday, July 10th, 2014, at Upper Niobrara White NRD Office in Chadron, NE. An agenda for this meeting to be considered at such date, time and place was kept continually current and was available in the NRD office. Seven days prior to the meeting, the agenda was mailed to each member of the Board of Directors and other interested and affected persons. Notice of the meeting was given to the public by publishing a legal notice on the UNWNRD website and The Chadron Record on July 2nd, 2014.

### **Open Meeting Law Act**

Chairman Zochol pointed out the Open Meeting Law Act that was displayed at the entrance of the meeting room.

### **Roll Call & Introduction of Guests**

Chairman, Richard Zochol, called the meeting to order at 9:05 a.m. and roll call was taken with the following directors present:

Scott Berndt	Curt Roth
Steve Sandberg	Kevin Oligmueller
Dave Kadlecek	Rich Zochol
Dave Carlson	Tod Dorshorst
John Burke	Jim Lees
Larry Teahon	

### **Others present:**

Pat O'Brien, NRD General Manger	Lynn Webster, NRD Assistant Manager
Sheri Daniels, NRD Water Resources Manager	Kylen Weingart, NRD Office Manager
Travis Nitsch, NRD Resources Coordinator	Haley Anders, NRD Resource Technician
Robin Foulk, NRCS District Conservationist	Dixie Lees
Andy Curd	Laurie Norman
Don Grein	Nancy Fisher

### **Emergency Agenda Additions**

There was a revised agenda passed around as there was a change to the agenda distributed previously.

**NRCS**  
**Robin Foulk**

Robin Foulk reported on the watershed dam assessments being completed across the state, specifically the assessment being done in the Upper Niobrara White NRD. The state will provide the funds necessary for the assessment and the NRD's responsible will allocate the funds how they see fit to complete the assessment. The NRD can choose to either have an engineering firm or the NRCS staff complete the assessment. Initially, there will need to be a contract between NRCS and the NRD if the NRCS is chosen to complete the assessment.

The dam chosen in the Upper Niobrara White NRD was the Mirage Flats Dam, located in Dawes County. This dam was built to help control land erosion instead of hold water. Robin was not sure why this dam was chosen however the decision may have been made or recommended by the Department of Natural Resources.

**Nebraska Forest Service**

Fred McCartney and Doak Nickerson were not present to provide a report.

**General Manager**  
**Pat O'Brien**

Pat added the following to his written report:

- Pat discussed an incident some of the staff encountered during a chemigation inspection. The inspection port did not get set correctly after the inspection and when the pivot was turned on it caused the motor to burn up. Ackerman Ag Service will be able to repair and insurance will cover the cost.
- Pat also received a call from Justin Levine of the Attorney General's Office regarding the UNWNRD and the Wickersham law suit. The plaintiff agreed to request a dismissal without prejudice providing the State and DNR include the plaintiffs in the notification of the Niobrara Compact and Upper Niobrara IMP meetings. The meetings would also include an opportunity for public comment.
- Jessyca Hovendick, NRD Resource Technician put in her notice of resignation. She has taken a job at Chadron State College and her last day will be July 18<sup>th</sup>.

**Assistant Manager**  
**Lynn Webster**

Lynn added the following to his written report:

- Lynn briefed the board on a transfer request he hoped would be in for the board meeting but did not get here in time.
- Lynn attended the most recent Region 23 Hazard mitigation meeting and gave a brief overview of the happenings of the meeting.
- The Public hearing for the proposed groundwater management area rules and regulations is scheduled for August 5<sup>th</sup> in Hemingford, NE at the Hemingford legion at 10a.m. There will be an information meeting in Alliance, NE on July 29<sup>th</sup> at the Public Library at 10 a.m. There will be an additional information meeting before the hearing in Hemingford at 9:30 a.m.

**Water Resources Manager**  
**Sheri Daniels**

Sheri added the following to her written report:

- There will be a No Till Bus Tour from August 18<sup>th</sup>-21<sup>st</sup> with the destination being North and South Dakota. The tour will include some of the research facilities as well as many of the local farms and ranches in the region.
- Sheri and Haley oversaw the drilling of three test holes through a state wide drilling project with INDEQ and UNL-Conservation and Survey Division. One of these test holes was made into a

monitoring well for the Upper Niobrara White NRD. Several geological teams collected samples throughout the drilling of each test hole.

**Resources Coordinator  
Travis Nitsch**

Travis added the following to his written report:

- Travis has been working on chemigation inspections.
- The NRD sold over 140,000 trees this year.
- Travis also mentioned that he has been asked to go out and inspect some trees that were machine planted. One customer claims to have several dead Rocky Mountain Juniper trees already. Travis will be investigating if there was a problem with the tree we received from the nursery or if there is another cause for the death of the trees.

**Resources Technician  
Haley Anders**

Haley added the following to her written report:

- Haley has been working on chemigation inspections as well.
- Haley will be working with landowners to finalize gallons per minute water use where meter readings were unable to be obtained.

**Resources Technician  
Kody Schwager**

Kody was not present at the meeting, however provided a written report.

**Resources Technician  
Jessyca Hovendick**

Jessyca was not present at the meeting, however provided a written report.

**Approval of Consent Agenda**

John Burke moved to approve the consent agenda Tod Dorshort seconded the motion. Roll call: (11) ayes, (0) nays.

**Agency Reports**

**Nebraska Association of Resources Districts  
Curtis Roth**

Director Roth reported on the following:

- Erica Hill took the Public Relations position for the NARD. She will start on August 1<sup>st</sup>.
- Pat reminded the board that the fall conference coming up in September and asked the Board Members to let him know who will be attending so that hotel reservation can be made.
- The NRD staff will be working on a tour for directors attending the fall conference.

**Nebraska Natural Resources Commission  
Dave Kadlecek**

Director Kadlecek reported on the following:

- The NRC met in Chadron in June. There was a tour for the committee member followed by lunch and then a dinner in the evening out at Chadron State Park. Dave thanked the staff for assisting with the tour and meals.
- Jim Lees gave a historical presentation of the area following dinner and Fred McCartney also gave a presentation on the fires of 2012.
- The next NRC Meeting will be in mid August.

**Niobrara River Basin Alliance  
Dave Carlson**

The next meeting will be July 23, 2014 in Valentine, NE.

**Water Committee Report  
Tod Dorshorst**

Director Dorshorst reported on the following:

- There was a water committee meeting just before the current board meeting.
- There is one transfer request from the Broken Saddle Cattle Company owned by the Magnuson's who has applied to modify field boundaries and transfer a portion of their irrigated acres from one tract of land to another, there is allocation remaining for the transfer and the request meets the District's rules pertaining to transfers.

Dave Carlson moved to approve the Broken Saddle Cattle Companies request for Transfer. Curt Roth seconded the motion. Roll Call: (11) ayes, (0) nays.

- There was also a chemigation violation this past month in Sheridan County. The landowner was chemigating without a permit and claimed to be unaware that a permit was needed as he was from out of state. Emergency permits were issued and they were allowed to resume chemigating. All information regarding the violation will have to be turned over to NDEQ who will decide whether or not they will be pressing charges for the violation. The district may take action through the Sheridan County attorney if NDEQ does not pursue.

**Operating, Personnel, and Safety Policy Committee  
Dave Kadlecek**

Director Kadlecek reported on the following:

- The Pine Ridge Land Surveying is going determine property lines to decide whether or not the trees are on NRD property or on the neighboring property. After that is determined the NRD will determine how to go removing the trees.

**Old or New Business**

The Board discussed the proposal made by Robin Foulk regarding the Dam Assessment.

John Burke moved to sponsor the Dam Assessment, Scott Berndt seconded the motion. Roll Call: (11) ayes, (0) nays.

Sheri Daniels mentioned the Jim Irwin will be moving to Scottsbluff at the end of the summer.

**Excused Absences**

None Absent.

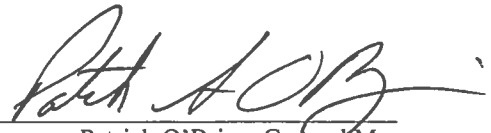
**Public Comment**

Don Grien asked about the Platte River Meeting posted on the DNR website. Pat O'Brien will look into it for more information.

**Adjournment**

There being no further business, the meeting was adjourned at 9:50 a.m.

  
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Rich Zochol, Chairman of the Board

  
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Patrick O'Brien, General Manager

Date Signed 8-14-14