



## UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

**Board of Directors' Meeting  
May 15th, 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 p.m. on Thursday, May 15th, 2014, at the Alliance Public Library in Alliance, 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 April 30, 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 9:00 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
<b>Absent:</b> 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
Kerri Rempp (Chadron Record)	Brenda Schnell, NRCS Secretary
Andy Curd	Fred McCartney, NFS
Maureen Skavdahl	Nancy Fisher

### **Emergency Agenda Additions**

None

**NRCS**  
**Robin Foulk**

Robin was not present at the meeting however provided a written report

**Nebraska Forest Service**  
**Fred McCartney**

Fred gave an update on the most recent project the Nebraska Forest Service has been working on. Fred and Doak Nickerson were contacted by Amy Seiler, NFS Forester in Scottsbluff seeking some contributions to the Nebraska Cattlemen's Ball which will be held near Gering, Nebraska this year. The Forest Service has been asked to contribute wood chips or wood mulch to this organization.

Fred also discussed the work that John Hahn, who has the chipping contract with Chadron State College, is doing for this event as well as the list of Forest Service Product that will be featured at this event. Some of these products include peeled posts and other types of wood chip donations for landscaping as well as animal bedding.

Fred continued to discuss the opportunity this event will be to promote the Forest Service and the programs and products they have to offer at such a big event.

**Concerned Groundwater Users**  
**Presentation by Andy Curd**

Mr. Curd introduced himself with a brief resume including his previous water usage and his concern for the proposed groundwater allocations. Mr. Curd discussed the monitoring wells currently in use as well as the rules and regulations regarding the possible need for allocation based on the amount of certified acres to be decided by the Board of Directors if it is in the best interest of the public. Mr. Curd claimed that there was not enough information for the Board to make a decision in the public's best interest. He continued to discuss surface water and its usage in the Upper Niobrara White NRD by comparing the flow of water into Box Butte Reservoir today to the flow of water in 1990 and some of the potential reasons for the reductions.

Director Sandberg commented that the recharge from the streams flowing near his property is invaluable. Director Kadlecck questioned the stream flow numbers given by Mr. Curd in terms of decline in water flow over the years and indicated the reduction is much greater.

Mr. Curd concluded his presentation by saying that the irrigators have little to no effect on the ground water levels and that he believes the country as whole is over regulated leading to the detriment of the country.

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

Pat added the following to his written report:

- Pat apologized for the short notice in postponing the meeting on May 8<sup>th</sup>.
- Lindsey Glock has accepted the NRCS Secretary position. She will start June 2<sup>nd</sup> and will be able to shadow Ann Cotton for a few days before she leaves.
- The NRD put out a solicitation for bids for insurance. One company has a supplemental policy to cover the Board of Directors in the course of conducting NRD business and asked the Board of Directors if a quote for this insurance bid is desired. The Board of Directors agreed to get a quote for this insurance.
- The NARD Basin Tour will be June 9<sup>th</sup> & 10<sup>th</sup> starting in North Platte, NE. Curt Roth and Dave Carlson are interested in going. All other people interested in going should let Pat know by May 29<sup>th</sup>.
- Pat discussed the 2014 legislation and the interim studies.
- Pat suggested to the Board send Senator Davis a thank you letter for the work he's done on a resent bill. The Board agreed.

**Assistant Manager  
Lynn Webster**

Lynn added the following to his written report:

- Lynn and Pat hope to review with the Department some new data and modeling information before the next Board meeting.
- Lynn discussed the water model and answered questions from the Board on the modeling effort.

**Water Resources Manager  
Sheri Daniels**

Sheri added the following to her written report:

- Sheri gave a brief overview of the Conservation Festival.
- Sheri also mentioned that she and Pat sent in a nomination for Director of the Year for Dave Kadlecck.
- There will be a Dawes County No Till Field Day on June 24<sup>th</sup>.
- The NRD will be adding to monitoring wells the second week in June.
- Sheri was also presented with a card in thanks and congratulations for her 15 years of service to the NRD.

**Resources Coordinator  
Travis Nitsch**

Travis was not present at the meeting and had no report to share with the board.

**Resources Technician  
Haley Anders**

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

**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**

Steve Sandberg moved to approve the consent agenda Dave Carlson seconded the motion. Roll call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

**Agency Reports**

**Nebraska Association of Resources Districts  
Curtis Roth**

Director Roth had nothing to report. The next Association meeting will be held on June 9.

**Nebraska Natural Resources Commission  
Dave Kadlecek**

Director Kadlecek reported on the following:

- The Natural Resource Commission will meet at Chadron State Park May 18<sup>th</sup>-19<sup>th</sup>.
- Director Kadlecek is waiting for a respond from the NARD regarding the appointment of commissioners.
- The NRC will be working on the distribution of funds from the Natural Resources Development Fund in order to complete active projects.

**Niobrara River Basin Alliance  
Dave Carlson**

Director Carlson had nothing to report.

**Water Committee Report  
Tod Dorshorst**

Director Dorshorst reported on the following:

- There was a request for a transfer of allocation. William Diers has applied to transfer a portion of the remaining allocation 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.

Tod Dorshorst motioned to approve the William Diers application for Allocation Transfer, Scott Berndt seconded the motion.

Roll Call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

- There was a request for a transfer of allocation. Ross Alcon has applied to transfer a portion of the remaining allocation 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.

Tod Dorshorst motioned to approve the Ross Alcorn application for Allocation Transfer, Scott Berndt seconded the motion.

Roll Call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

- There was a request for a variance to the well drilling moratorium. Lynn Webster explained the variance request for Gordon Lockwood regarding a well that was out of compliance with state laws. The variance would allow Mr. Lockwood to come into compliance.

Steve Sandberg motioned to approve the Lockwood Variance, Scott Berndt seconded the motion. Roll Call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

Pat discussed the Mirage Flats Feasibility Study and proposal by Applegate Group, Inc. The Water Committee would like to receive additional proposals prior to making a recommendation.

A discussion amongst the board members was held regarding the proposed water allocation.

Tod Dorshorst motioned to withdraw the proposal for the new water allocation, Steve Sandberg seconded the motion. Roll Call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

There was further discussion about a revised rules and regulations when more information is available.

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

Director Kadlecek reported on the following:

- Pat requested that the Board discuss the disposal of surplus desks and other property of the NRD not in use by the employees.

Dave Carlson motioned to allow the manager to dispose of surplus equipment as he sees fit, Dave Kadlecek seconded the motion. Roll Call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

Pat is still trying to get in touch with the owner of the neighboring property to the NRD to get rid of a few dead elm trees on the edge of the property.

**Old or New Business**

The safe deposit box has an outdated signature on it.

Dave Carlson moved to replace Lyndon's name with Pat's on the Safe Deposit box and retain Lynn and Director Dorshorst as signatories, Steve Sandberg seconded the motion. Roll Call: (8) ayes, (0) nays, (3) absent: John Burke, Jim Lees, Larry Teahon.

**Excused Absences**

Steve Sandberg moved to excuse John Burke, Jim Lees, and Larry Teahon, Tod Dorshorst seconded the motion. Roll Call: (8) ayes, (0) nays (3) absent: John Burke, Jim Lees, Larry Teahon.

**Public Comment**

No further Comment

**Adjournment**

There being no further business, the meeting was adjourned at 10:12 a.m.



Rich Zochol, Chairman of the Board



Patrick O'Brien, General Manager

Date Signed 6-12-14