



## UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

**Board of Directors' Meeting  
June 12th, 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, June 12th, 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 June 4th, 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
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
Kody Schwager, NRD Technician	Haley Anders, NRD Resource Technician
Jessyca Hovendick, NRD Technician	Jessica Johnson
Gary Stone	Gary Hergert
Don Grein	Nancy Fisher
Nancy Nixon	Lindsey Glock, NRCS Secretary
Dixie Lees	
Maureen Skavdahl	

### **Emergency Agenda Additions**

None

**NRCS**  
**Robin Foulk (Absent)**  
**Lindsey Glock**

Robin was not present at the meeting. Lindsey Glock filled in to give an overview of the NRCS written report.

**Nebraska Forest Service**

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

Pat O'Brien added that Mike Doherty, the other former member of the NFS working out of the NRD office has been replaced by Seth Peterson, who was previously employed in Valentine, NE for the NFS.

**UNL PREC Presentation**  
**Gary Hergert**

Mr. Hergert reported on the progress of a project the UNWNRD along with the North and South Platte NRDs funded in the past. The project is based on the research being conducted in Scottsbluff, NE at the Experimental Substation and is based on the profitability of crops during specific irrigation allocation levels. Mr. Hergert continued to explain how each crop responded during these levels of allocation as well as the profitability associated with each level.

**Gary Stone**

Mr. Stone discussed the roll he plays in accordance with the NRDs and the UNL Extension. He helps the NRD's in this region to monitor and install ET gauges as to better monitor the water use and soil moisture. The Nebraska Agricultural Water Management Network helps to gather and analyze statewide data to decide how much water the crops are actually using on a weekly basis. Farmers are able to use these reading from the ET gauges nearest to their land to estimate how much water to use. Using these ET gauge website recordings farmers are able to figure out how much water to use without over watering.

**Jessica Johnson**

Ms. Johnson came into this project to determine the economic implications of the research and data that has been gathered already and try to present it to farmers in a way that they can use their expected costs and commodity prices to figure out just how much water they need to use in order to become profitable. Ms. Johnson has developed a chart in which farmers and producers can input their allocation and their expected prices to see how to get the most out of their crops including both yield and profitability.

In order to continue with this research they rely on grants and donations to fund their programs and the scientists to who work on them. The UNL PREC is requesting support from the three NRD's in the panhandle.

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

Pat added the following to his written report:

- Pat handed out the draft budget for next year and discussed the overall budget standings.
- Pat discussed the option for direct deposit and will be looking into making this available for staff and directors.
- There will be a windbreak renovation day where presentations as well as pointers will be given to those interested in the planning for new or upkeep of existing wind breaks. The date is set for August 21<sup>st</sup>, sites yet to be determined.
- DEQ will not have a second staff person downstairs so the NRD will rent out the office to Nebraska Game & Parks/Rocky Mountain Bird Observatory for Katy Kuhnel.

- There will be a public meeting at Walgreen Lake on June 17, at 6 pm in Hay Springs, NE.

Director Lees asked about the status of the mine in Crawford. Director Teahon gave a brief overview of the current issues of the mine. They are waiting on the NRC to approve a new permit in order to move forward.

**Assistant Manager  
Lynn Webster**

Lynn added the following to his written report:

- Lynn handed out a copy of the 10/50 analysis from the Niobrara River model and discussed how we may be able to use to model to analyze data and make other decisions regarding the allocations.
- Pat and Lynn went to Lincoln to meet with the DNR on May 29<sup>th</sup>. Lynn discussed some of the progress they were able to make with the DNR in regards to the UNWNRD's issues with the integrated management of ground and surface water in the district.
- Lynn discussed the future dates for the Hazard Mitigation meetings.
- Lynn mentioned a permitted out of state transfer that is out of compliance.

**Water Resources Manager  
Sheri Daniels**

Sheri added the following to her written report:

- The NRD received a call from Steve Sibray about drilling an additional test hole in Box Butte County. There will be three test holes drilled if the additional footage is approved by NDEQ and there is a possibility that the test hole will become a monitoring well.

**Resources Coordinator  
Travis Nitsch**

Travis was not present at the meeting but provided a written report.

Pat mentioned that there were 140,000 trees sold total and the cooler is now off.

**Resources Technician  
Haley Anders**

Haley had nothing to add to her report.

**Resources Technician  
Kody Schwager**

Kody had nothing to add to his report.

**Resources Technician  
Jessyca Hovendick**

Jessyca added the following to her report:

- Jessyca hopes all chemigation permits are in and she and the other technicians are working to set up chemigation inspections with all of the irrigators.

**Approval of Consent Agenda**

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

## **Agency Reports**

### **Nebraska Association of Resources Districts Curtis Roth**

Director Roth reported on the following:

- There was an NARD meeting June 9<sup>th</sup>. Director Roth reported on the events of the meeting.
- Dave Kadlecek was voted Director of the year.
- There were several changes in health insurance costs and coverage including a 2.5% decrease in premiums
- Director Roth and Director Carlson went on the Basin Tour. Director Roth gave a brief overview of the tour.

### **Nebraska Natural Resources Commission Dave Kadlecek**

Director Kadlecek reported on the following:

- The Natural Resource Commission will meet at Chadron State Park June 18<sup>th</sup>-19<sup>th</sup>.
- There will be a tour on Wednesday Morning, lunch, afternoon meetings and then a dinner at the State Park that evening.
- Director Kadlecek also reported on new members to the Natural Resources Commission.

### **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. The Cover Company 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. Director Sandberg asked for more clarification as to where this was located. Lynn Webster advised that it was in Sub Area 4.

Tod Dorshorst motioned to approve the Cover application for Allocation Transfer, Scott Berndt seconded the motion. Roll Call: (11) ayes, (0) nays.

- The water committee discussed well interference reporting and how it should be handled. Pat O'Brien expanded on the problems that staff members were having documenting the occurrences. A standardized reporting form will be developed.
- Nancy Nixon, a member of the public was present at the meeting and discussed how she believes irrigators in her area near Cottonwood Creek were affecting the water supply on her land, the water supply to her own home and to Cottonwood School
- Director Dorshorst asked Lynn to present the changes to the Rules and Regulations for Groundwater Management that will need to be in place by the end of the year. The most significant change to these being the deletion of allocations for sub areas 1, 2, 3, and 5. Discussion over these changes, along with the previous changes took place..
- The water committee also discussed a request for modification of one of the boundaries of the sub areas. Director Dorshorst explained that by allowing one groundwater user to alter the boundary of a sub area would create more requests like this from other land owners as to avoid being allocated. No action was taken.

- Director Sandberg mentioned that a new sub area may need to be created and allocated near Cottonwood Creek. Further discussion of this issue will be continued at a later date.

John Burke motioned to approve to hold a public hearing on the proposed Ground Water Management Area and Integrated Management Rules and Regulations, Scott Berndt seconded the motion. Roll Call: (11) ayes, (0) nays.

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

Director Kadlecek reported on the following:

- John Daniels of Gregory's Insurance spoke to the OPP Committee about the options. The committee believes that the best insurance coverage for the NRD, staff and directors would be through Gladfelder.

Steve Sandberg motioned to approve Gladfelder as the new Insurance Carrier for the NRD, Dave Carlson Seconded the motion. Roll Call: (11) ayes, (0) nays.

- Pat discussed the option of supplemental insurance to cover the Director while on NRD business.

Dave Kadlecek motioned to approve the supplemental insurance plan, Steve Sandberg seconded the motion. Roll Call: (11) ayes, (0) nays.

- Director Kadlecek discussed the \$4,500 bid from Kristy Dietrich to do the 2013-2014 audit for the NRD.

Dave Kadlecek motioned to accept the bid from Kristy Dietrich, Dietrich & Sautter for the audit, Jim Lees seconded the motion. Roll Call: (11) ayes, (0) nays.

- Director Kadlecek discussed staff raises and the funds to do so.

Steve Sandberg motioned to give Pat O'Brien a 3% raise and to designate \$7250 for other employees, to be distributed at his discretion, Jim Lees seconded the motion. Roll Call: (11) ayes, (0) nays.

**Information & Education**  
**More Kids in the Woods Grant**  
**Larry Teahon**

Director Teahon discussed funds in the US Forest Service's More Kids in the Woods grant as how it could be spend helping the Gordon Public Schools as well as the Alliance Public School Green house.

Jim Lees motioned to approve \$2500 for each school, Scott Berndt second the motion. Roll Call: (11) ayes, (0) nays

Director Teahon also mentioned the Candidates for the Dorshorst Memorial Scholarship and the funds would be used to support ACE Camp registration.

**Old or New Business**

Pat O'Brien discussed some legal issues the NRD may have to deal with in the future, including the removal of hazardous trees on the property line as well as some issues with collecting on past due accounts. Pat asked the board for permission to hire an attorney to deal with this.

Curtis Roth motioned to designate Attorney Jamian Simmons and the Legal counsel of Smith, King and Simmons PC, for non water related issues. Tod Dorshorst seconded the motion. Roll Call: (11) ayes, (0) nays.

**Executive Session**

John Burke moved to go into Executive Session at 11:17 a.m., Curtis Roth Seconded the motion. Roll Call: (11) ayes, (0) nays.

**Excused Absences**

None absent.

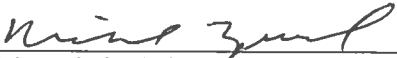
**Public Comment**

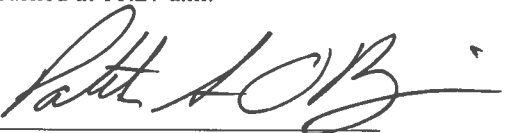
Public left after Executive session was called.

Don Grien mentioned to the board that they have public comment before they enter executive session.

**Adjournment**

There being no further business, the meeting was adjourned at 11:27 a.m.

  
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Rich Zochol, Chairman of the Board

  
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Patrick O'Brien, General Manager

Date Signed 7-10-14