

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

November 18, 2021

Ord, Nebraska

The November meeting of the Board of Directors of the Lower Loup Natural Resources District was held at the Headquarters Office, 2620 Airport Drive, Ord, Nebraska, on November 18, 2021. Chairman Citta called the meeting to order at 4:04 p.m.

### CALL TO ORDER

#### Directors in attendance:

James C. Adams  
Timothy E. Bartak  
Beth Boesch  
John Coffey  
Randy Kauk  
Matt Lukasiewicz  
Todd Nitsch  
Chad J. Podolak  
Dean G. Thede  
Rick Vlach

Darwin B. Anderson  
Robert L. Bauer  
Joseph L. Citta, Chairman  
Jim Eschliman, Vice Chairman  
Gary A. Kruse  
Larry Mohrman  
Alan D. Petersen  
Gerald Smith  
Henry J. Thoene, Secretary

#### Directors absent:

N. Richard Hadenfeldt

Rollie D. Amsberry, Treasurer

#### Staff in attendance:

Russell G. Callan, General Manager  
Kim A. Lyons, Financial Secretary  
Larry D. Schultz, I&E Coordinator  
Jason Moudry, Water Programs Specialist  
Brian Kolar, Projects Technician  
Harold Benton, Water Resources Tech.

Tylr Naprstek, Asst. General Manager  
Dell R. Harris, Water Resources Specialist  
Cameron Conrad, Water Modeling Coord.  
Alan Bartels, Information Specialist  
V. Anne Freeman, Water Programs Sec.

#### Guest in attendance:

Bryce Bauer, LDC, NRCS, Ord

## VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Citta asked for verification of the meeting notice. General Manager Russell Callan stated that the agenda was current, and that the meeting notices were properly published in all newspapers, posted at the NRD Headquarters office in Ord, on the NRD website, and in the eight field office locations. Callan also pointed out that the December meeting would be on the 16<sup>th</sup> and not the 18<sup>th</sup> as stated in the agenda.

## ROLL CALL

Roll Call was conducted. Directors present: Anderson, Bartak, Bauer, Boesch, Citta, Coffey, Eschliman, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Directors Absent: Adams, Amsberry, Hadenfeldt, Kauk.

## EXCUSED ABSENCES

Citta stated that Directors Amsberry and Hadenfeldt had asked to be excused and Directors Adams and Kauk would be late.

**Eschliman motioned, seconded by Boesch, to excuse Directors Amsberry and Hadenfeldt. Motion carried by electronic vote, all present voting yes.**

## MINUTES

Chairman Citta asked for corrections and/or additions to the October 28, 2021, Board meeting minutes. None were heard.

**Nitsch motioned, seconded by Anderson, to approve the October 28, 2021, Board meeting minutes as presented. Motion carried by electronic vote, all present voting yes.**

## TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$62,439.82 to JEO for WFPO work, \$1,781.00 for VRI cost-share, and \$21,510.30 to various landowners for cover crop cost-share.

Mohrman asked about how the Buffer Strip payment amounts were figured. Callan stated they are based on differences in the land enrolled and are at a set rate per acre for the contract period.

**Kruse motioned, seconded by Smith, to approve the November 18, 2021, Treasurer's Report. Motion carried by electronic vote, all present voting yes.**

The Treasurer's Report Approval Policy states that the approved expenditures are to be published and each director who has per diem and/or reimbursement of expenses included in

such financial reports, abstains from voting for the approval of his or her own per diem and/or expense reimbursement.

## PUBLIC COMMENTS

None

## FORESTER'S REPORT

Richard Woollen, District Forester, was not present for the meeting. Callan noted the pamphlet showing this year's available tree species.

## NRCS REPORT

Bryce Bauer, NRCS, Ord, reported that the EQIP and CSP deadline was the next day, and staff was working on processing applications. He said brush management had been popular with cooperators, as well as pivots and the burn program. He also reported that in 2022 NRCS will host another direct hire and that additional payments have been released to go toward pipeline and irrigation cost-share, due to increased prices. Bauer added that the Buffer Strip payments were set at \$225 per acre for irrigated land and that dryland was based on the CSP rental rates for each county.

## INFORMATION & EDUCATION REPORT

### 2022 NARD Legislative Conference & Washington, D.C. Conference

Larry Schultz, I&E Coordinator, reported that the Legislative Conference would be held the end of January and the Washington D.C. Conference would be held in March. Schultz stated that travel plans would be made soon for the D.C. Conference.

### Hazard Mitigation Plan

Schultz reported that the second round of meetings had been held – one in Ord and one in Broken Bow, as well as a virtual meeting. He stated there were around 20-25 participants at each meeting and that JEO was working with the participants to make sure their sections were complete.

### Social Media

Alan Bartels, Information Specialist, gave an update on the number of followers the NRD has gained on the social media sites he has been utilizing. He also reported that he recently set up a Google and Instagram account for the NRD.

Kauk arrived at 4:17 p.m.

## ASSISTANT GENERAL MANAGER'S REPORT

### Nitrogen & Water Management Field Day

Tylr Naprstek, Assistant General Manager, reported that the Nitrogen & Water Management Field Day would be held December 9<sup>th</sup> from 10:00 a.m. to 3:00 p.m. in Columbus. He said the NRD sent invitations to everyone in Area 30 and to manure applicators in Area 28 and Area 29. He reported that he and Bartels had developed an event flyer as a specific invitation for those applying nitrogen. Naprstek went over the agenda for the field day.

Naprstek stated that the next Drought Management Stakeholders Meeting would be held at the NRD on November 30<sup>th</sup> at 6:00 p.m. He said the attendees would be looking at triggering mechanisms and the information would then be put into a plan and presented to the Board.

### Water Quality Management Area

Naprstek reported that he had received correspondence on commercial applications being done in Area 30 and showed a letter being sent to producers in the area stating the manure is allowed, but commercial fertilizer is not until after March 1, 2022. He stated that staff was also looking at putting an article in *Water Matters* on fertilizer application.

### National Groundwater Monitoring Network

Naprstek reported that Jason Moudry, Water Programs Specialist, had gotten all the sites sampled and submitted to the lab. He said that the results would be reported to the Board and the landowners. Naprstek stated that most sites sampled were monitoring wells but there was also some sampling from irrigation and livestock wells. He said the sample sites were shown on the USGS website.

## VARIANCE COMMITTEE

### Jon R. Reins

Toene reported that this was Reins' second hearing before the Committee. Naprstek presented a PowerPoint showing the existing surface water rights for the area and the different diversions in the area. He highlighted an area where there were acres that were not certified through the NRD process. It was explained that this variance would add some acres back into the NRD's allocation allotment. The conversion equation that was used to figure acres was explained. It was also stated that Reins would be relinquishing his full surface water right and the groundwater acres would be non-transferable.

**Toene motioned, seconded by Smith, to grant the Variance and convert the 110 acres to non-transferable groundwater acres.**

Kruse asked what irrigation district the acres were in. Naprstek stated they were off the Loup Power Canal. Callan stated they were a private right served by the canal. Podolak asked if

there was a benefit to the relinquishment. Naprstek stated benefit was dependent on the stream depletion factor and that this would be a stream depletion factor of 81%. Kauk asked if there were any other wells that may be affected. Callan stated the same landowner's wells were the only ones that may be affected. Mohrman added that the property across the road had standing water, so new irrigation could help.

**Motion carried by electronic vote, all present voting yes.**

#### New Acres Variances

Naprstek stated that this variance resulted from new irrigated acres application process. He said there were 11 applications for roughly 1,000 acres in a high groundwater area. Cam Conrad, Water Modeling Coordinator, showed the modeling done with GET in the area. Each application location was shown. The water budget was explained and modeling over time to the year 2065 was shown to explain the estimated impact the variances would have on water levels based on the irrigation requirement for corn.

Adams arrived at 4:39 p.m.

Conrad also showed modeling of the decline over a 40-year span of one foot. He stated that this area was showing an increase over time and that a rise of .5 feet per year was being seen. Coffey asked what was causing the increase in groundwater in the area. Conrad stated there was a lot of recharge taking place in the area. Callan stated there were irrigation districts in the area. Conrad stated there were 30- to 40-foot increases in some areas. Kauk asked when the NRD started collecting data. Callan stated in approximately 1974; however, the Groundwater Management Plan started in 1982. Reporting on voluntary IMP was shown for the Lower Platte River Basin and the amount of depletion was reviewed from 2016 to present.

It was explained that after the variance, the NRD would still have 5,112.49 acre-feet of groundwater use remaining out of the 5,883 acre-feet it started with and that the current acre-feet will be carried over and additional will be added. Conrad stated these variances would take about 98 acre-feet off the NRD's allotment. Kauk asked why a variance was necessary if there is an allotment to be used. Callan explained that the NRD was in a moratorium, so a variance was required for new acres.

Thoene stated these applications were all for new irrigation. Conrad added that all applications included in this variance scored at least the minimum of 225 points. Podolak asked why the NRD will have an increase in allotment. Callan explained that there will be more allotted this year. Boesch asked who decides the allotment and Callan said there was a technical committee that reviews and models the allotment and then the management committee makes a recommendation which goes to the Board. He said that Adams and Thoene were the Lower Loup NRD representatives on that Board. He added that the NRD has an allotment of water and uses a conservative amount of about 10% of what is available so as not to over-allocate.

**Thoene motioned, seconded by Podolak, to grant the variance requests for 999 new, non-transferable irrigated acres in the groundwater increase area.**

Lukasiewicz asked if these applicants were charged a variance fee in addition to their initial application fee. Callan stated they were not charged any additional fees.

**Motion carried by electronic vote, all present voting yes.**

## MANAGER'S REPORT

### Litigation Update

Callan stated that Blankenau was setting up a meeting in the next few weeks on the NRD's instream flow application and that there was nothing new on the Platte Republican Diversion.

### New Hires

Callan reported that Harold Benton had been hired for the Water Resources Technician position at Headquarters.

Coffey asked if the advertisement in the Columbus paper was for a technician. Callan stated the NRD is adding a new technician to collaborate with producers in Area 30 and to help with the Columbus Area Recharge Project oversight.

### Non-action Reports

Callan stated he received a letter from the League of Women Voters asking for the NRD to talk with NPPD Board members on the decarbonization goal that would be reviewed. Citta stated the NPPD Board was researching and is planning to set a goal soon. He said it was currently a draft and a survey had been conducted that was open to the public.

Callan gave an update on the building addition. He stated the plumbers had worked last week and that the crews would be pouring cement in the next few weeks. He said they are planning on the building being completed sometime in April so there is no interruption to the tree program.

Callan reported that St. Edward was applying for a BRIC grant for flooding issues and had asked the NRD to assist.

Boesch asked about the NEMA grant in Columbus. Callan stated there was nothing new at this time.

Mohrman asked about the Thalheim property. Callan stated they were still working on deeds.

Smith asked about financing for Sargent. Callan stated there would be a discussion at the next Committee meeting.

## NARD REPORT

Eschliman reported that there was a meeting November 7<sup>th</sup> in Chadron and that the Legislature starts January 5<sup>th</sup> for a 60-day short session. He also said there would be a hearing December 3<sup>rd</sup> for LR23. Callan stated he was planning to go to the hearing.

Eschliman stated that NARD was working on the 50<sup>th</sup> Anniversary items. He said that 2022 would be 50 years and that numerous events would be held. Schultz reported that the NRD calendar will have historical photos from the NRDs.

Eschliman also reported that the risk pool met and that the Department of Insurance audit was approved.

## NRC REPORT

Hadenfeldt was not present for an update. Citta stated that the November meeting was cancelled and there would be a meeting in December. He also reported that the scoring committee met the first part of November and that they would be bringing scores from the Water Sustainability Fund for review.

## LOUP BASIN RC&D REPORT

Adams reported that the Burwell Legion had held a drawing for the tractor; however, he did not know who won.

## ANNOUNCEMENTS / FUTURE MEETING TOPICS

Schultz announced that invitations were out for the awards banquet in December. Kauk asked if there would be Committee meetings in December. Citta stated they were scheduled for December 7<sup>th</sup>.

Citta also announced that the new infrastructure bill had passed and there would be an increase in grant money available for drinking water/wastewater use as well as money for other water and environmental projects.

Schultz announced that there would be information sent out for those who want to order 50<sup>th</sup> Anniversary apparel.

Callan stated he would get dates put together to hold a Board Retreat.

## ADJOURNMENT

With no further business before the Board, Chairman Citta declared the meeting adjourned at 5:12 p.m.

Roster for attendance of this meeting and tally of votes cast on motions at this meeting are being filed with the official minutes of this meeting at the Lower Loup Natural Resources District's Headquarters Office, 2620 Airport Drive, Ord, Nebraska. Publication notification of this meeting was made via a newspaper in each county within the district. The next Board of Directors meeting will be held December 16, 2021, at 4:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary