

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

May 23, 2024

Ord, Nebraska

The May 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 May 23, 2024. Chairman Thoene called the meeting to order at 5:00 p.m.

CALL TO ORDER

Directors in attendance:

James C. Adams
Darwin B. Anderson
Robert L. Bauer
James Eschliman
Gary A. Kruse
Todd Nitsch
Chad J. Podolak
Henry J. Thoene, Chairman

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Colton R. DeBower
Thomas L. Knutson
Larry Mohrman, Secretary
Alan Petersen
Gerald Smith
Rick Vlach, Vice Chairman

Directors absent:

N. Richard Hadenfeldt
Justin W. King
Alexander L. Vlach

Randy Kauk
Matt Lukasiewicz

Staff in attendance:

Russell G. Callan, General Manager
Kim A. Lyons, Financial Secretary
Alan Bartels, I&E Coordinator
Jason Moudry, Water Programs Specialist
Kevin Gustafson, District Engineer
Brian Kolar, Projects Technician

Tylr Naprstek, Assistant General Manager
Irene Kreifels, Admin. Assistant
Brant Bechtold, Information Specialist
Dell Harris, Water Resources Specialist
Cacey Wilken, Water Modeling Coordinator
Ann Freeman, Water Programs Secretary

Guests in attendance:

Marc Groff, The Flatwater Group, Lincoln
Bryce Bauer, NRCS, Ord

Jon Mohr, LRE Water, Lincoln

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Thoene asked for verification of the meeting notice. General Manager Russ Callan stated that the agenda was current with revisions, 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.

EXCUSED ABSENCES

Thoene stated that Directors Kauk, King, and Lukasiewicz had asked to be excused. Directors Hadenfeldt and A. Vlach were also not present, but had not called in.

Adams motioned, seconded by Eschliman, to excuse absent Directors Hadenfeldt, Kauk, King, Lukasiewicz, and A. Vlach. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Bauer, DeBower, Eschliman, Knutson, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thoene, R. Vlach. Directors absent: Hadenfeldt, Kauk, King, Lukasiewicz, A. Vlach.

MINUTES

Thoene asked for corrections and/or additions to the April 25, 2024, Board meeting minutes.

Knutson motioned, seconded by Smith, to approve the April 25, 2024, Board meeting minutes. Motion carried by electronic vote, all present voting yes.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$16,931.25 to WISH Nebraska Inc. for drip irrigation supplies; \$10,040.25 to LRE Water Inc for professional services on the Buffalo County study; \$25,964.91 to JEO Consulting Group Inc for services on the Sargent Project; \$2,727.55 to Ward Laboratories Inc for soil survey expenses; and \$25,664.59 to Schumacher Irrigation Inc for work with the USGS vadose study equipment. Callan also noted additional expenditures of \$68,914.00 to Ranchland Ford for the new probe pickup purchase, and \$8,160.10 to Downey Drilling Inc for well repairs.

Kruse motioned, seconded by Mohrman, to approve the May 23, 2024, 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

Thoene asked for public comments. None were heard.

FORESTER'S REPORT

Aron Lewis, Conservation Forester, was not present. Callan stated an update was in the agenda.

NRCS REPORT

Bryce Bauer, NRCS Ord, reported that that RCPP application period was open and there will be a meeting June 9, 2024, to work on the application outline so it can be reviewed by the state. He said he thinks the review will be done by the end of June and that applicants should be awarded by the end of September. He stated that an agreement between NRCS and the NRD will be drafted for administration of the funds.

Bauer reported that staff is about 90% done with EQIP allocations and stated that they asked for an additional \$500,000 but received \$1 million. He added that they have also begun work on 2024 compliance reviews.

INFORMATION & EDUCATION REPORT

Arbor Day Programs

Alan Bartels, I&E Coordinator, reported that he and Brant Bechtold, Information Specialist, had presented 30 4th grade Arbor Day programs in April and May and that 745 seedlings were given out to attending students.

Nebraska Children's Groundwater Festival

Bartels also reported that they had presented at the Nebraska Children's Groundwater Festival and that more than 500 5th grade students from 19 schools, representing 15 counties, attended.

Bartels added that the quarterly newsletter is at the printers and that *Water Matters* is in progress and will be mailed in June.

Bechtold showed an updated version of the NRD website and informed the Directors of the new text messaging sign-up that is available. He stated it will be used for "big ticket" notifications such as public meetings. Callan stated that the in-house texting service will be used strictly for Director notification and this one will be used for the public.

Bechtold also showed the crop water use reports available on the new site and announced that precipitation reports are available as well.

ASSISTANT GENERAL MANAGER'S REPORT

Recreation Areas

Tylr Naprstek, Assistant General Manager, reported that the reservable sites at Davis Creek are filling up and showed the reservation status for the next several weeks. He stated the current water level is at 84%, which is about five feet from maximum capacity.

Naprstek stated that Brian Kolar, Projects Technician, has been working on the sediment settling basin analysis at Pibel Lake, and it needs cleaning out soon. The settling basin is 8 years old. He also reported that there was storm damage to the new outhouse caused by a cottonwood tree and that Boom Concrete has been contacted for repairs.

Well Standards Letter

Naprstek reported that letters had been sent out on 135 illegal wells that had been identified by LLNRD technicians. He said that information on illegal and inactive wells was included with the letter. Pictures were shown of examples of wells that were discovered. He added that everyone is being given a chance to remedy the situation by June 30, 2024, before being turned over to NDEE for follow-up.

WQMA Dashboard

Naprstek stated that he, Mike Lorenz, Agronomist; Ryan Hellbusch, Water Quality Technician; and Cacey Wilken, Water Modeling Coordinator had been working with Phoenix to get soil analysis data entered and stated that soil samples will be available to be viewed online.

Buffalo County Model – LRE Water

Jon Mohr, LRE Water in Lincoln, gave an overview of what LRE does and stated that Jacob Bower and Tom Glos from LRE were also available online for questions. He also stated that Marc Groff with The Flatwater Group was present at the meeting.

Mohr went over the model goals and showed an outline of Areas 13, 16, 17, and 18. He reviewed the data available and showed the geologic data that was combined from the Ravenna flights and AEM data. He showed maps of the bedrock elevation and stated that their goal is to establish hydrologic conductivity. He stated one geologic model is being developed for the area to be compared with the groundwater model grid. Mohr showed a five-layer model and the outline of the data collection, block flight AEM data, well log data that was inputted, bedrock elevation, and a digital elevation model, as well as the geologic model in GIS.

He showed the watershed model in cartoon mode that was animated to show water flows and stated that the watershed model uses climate, soils, and ground use topography for information. He added that a streamflow analysis will be completed. Recharge and streamflow information was used in the modeling. It was stated that they are still working on reporting and a final presentation will be made once everything is compiled.

PROGRAMS & PROJECTS COMMITTEE

Kevin Brown Trail

Kruse reported that a committee for the \$1.5M trail was at the Programs/Projects Committee meeting and was asking for additional money after approval of the TAP Grant which would pay 80% of the project was received. He stated they are still putting together information and will be back for the June meeting. The project had received prior Board approval of a 5% contribution, not to exceed \$18,000, but the timeline had sunset.

Bartlett Splash Pad Request

Kruse reported that Bartlett is working on the installation of a splash pad. He stated the total cost is estimated to be \$170,000 and a \$30,000 water recycling project is being added to the project. It was reported that there will be more information at the next meeting and that they are requesting \$10,000 from the NRD.

Pibel Lake Expansion

Kruse stated Gustafson would have information in his report.

St. Edward BRIC Grant

Kruse stated information is being gathered on the project.

Loup City Airport Bank Stabilization

Kruse stated Gustafson would have information in his report.

Potential Recharge Projects

Kruse reported that there are potential recharge projects along Cherry Creek, Looking Glass Creek, and Lost Creek. Callan added that Neal Suess of Loup Power District is positive about the potential project.

Mud Creek - Ansley

Kruse stated Gustafson would have information in his report.

Mira Creek WFPO – North Loup

Kruse stated Gustafson would have information in his report.

Sargent Flood Project

Kruse stated Gustafson would have information in his report.

Other

Callan added that LLNRD applied for a WaterSMART grant for the potential Monroe area recharge projects.

Kruse stated that the Platte Valley Weed Management Area is requesting funds to help spray weeds.

WATER RESOURCES COMMITTEE

2024 Spring Static Water Level Report

Nitsch said that the 2024 Spring Static Water Level Report was reviewed and discussion was held on Area 19.

Naprstek went over the Static Water Level Report and highlighted the overview from last year. He explained the trend analysis going forward and stated that old wells in the District were used as the baseline. He reviewed the overall District average and stated that the majority of the increasing areas of the District have artificial recharge in place due to the irrigation districts. He stated the biggest area of concern is in the southern and eastern portions of the District. He showed the breakdown of all areas and highlighted the areas that were trending down from last year's readings. He mentioned that Area 19 has had exceptionally low levels and, in the last 20 years, has spent the majority of the time below the 1982 level. He added that Area 20 is another trigger site with the most dramatic changes in the last 5 years. Naprstek also reviewed the breakdown by county throughout the District and the drought analysis based on the data collected.

Nitsch motioned, seconded by Adams, to accept the 2024 Spring Static Water Level Report. Motion carried by electronic vote, all present voting yes.

Drought Area 19 Discussion

Naprstek showed Area 19 again and discussed the drought susceptibility in the area. He added that there is concern of interference between users and showed a presentation on the area, highlighting development. He added that Nance County is already metered in Area 28 and that Merrick and Howard Counties would be metered with the additional area. Naprstek showed the overall saturated thickness of the area using the ELM Model information.

Naprstek added that it is the staff's recommendation to require flow meters in the area.

Nitsch motioned, seconded by Podolak, to approve going to the public hearing process to require flow meters in Area 19.

Callan stated that, pending approval of the motion, staff will start to get information out on the requirements and will follow protocol for the rule change and that a hearing will be scheduled for later this year, likely in November. Callan added that each producer in the designated area will get a letter informing them of the changes. Callan stated that there are changes coming to the large water user rule, as well, that could be discussed at the hearing.

Vote was held. Motion carried by electronic vote, all present voting yes.

Irrigated Acres Allocation

Nitsch stated that the Committee discussed allotments and instream flow. Naprstek reported that the Board hasn't given out acres in Beaver, Cedar, and South Loup areas since 2012, and in other areas since the middle of the drought. Nitsch stated it is good that we are getting moisture but thinks that we should hold off on acres this year. Smith stated that as part of the Committee discussion, it was stated that partial pivots may be allowed through variance vs. trying to do a blanket acre allotment. Thoene agreed that was a good idea, because some requests are feasible.

Smith motioned, seconded by Eschliman, to not allow new irrigated acres for 2024. Motion carried by electronic vote, all present voting yes.

Large Water User Rule

Nitsch reported that the Committee discussed the large water user rule and that Blankenau stated there are necessary changes to be made.

Callan stated that there will be more large water users in the future, and we want to be sure our rule covers what it needs to. He added that, as of now, any new users that will use over 500 acre-feet of water will need to do a hydrologic impact study to get the necessary permits. He stated he also had conversations with Neal Suess at Loup Power District about large water users. He added that after the discussion, Blankenau reviewed our current rule and noted quite a few changes that should be made. Callan added that the intention is to change the rule without stopping development, but not getting into a situation with a negative effect.

Nance County Well Interference Area

Nitsch reported that Naprstek informed the Committee about the area included in the study, talked about the boundary, and discussed the need for groundwater modeling in the area. Naprstek added that there is a problem in the area and that there is a lot of space that only has 20 feet of saturated thickness. He added that there is already a 'no transfer' zone there. He stated that we need to have a consultant review the issues and that there is a Water Sustainability Fund Grant, due in March, that we can apply for. He stated the goal will be to redefine the interference zone.

Nitsch motioned, seconded by R. Vlach, to apply for the Water Sustainability Fund grant and hire a consultant to work on the Nance County well interference boundary. Motion carried by electronic vote, all present voting yes.

Groundwater Quality Management Area Summary

Nitsch reported that Lorenz, Hellbusch, and Derek Vogt, Agronomist, presented a summary to the Committee. They discussed crop yields and nitrogen use efficiency in Areas 28, 29, and 30.

Vadose Zone Project Update

Nitsch reported that Jason Moudry, Water Programs Specialist, talked to the Committee about sampling efforts including information on crop yields, irrigation numbers, and nitrate use efficiency at the included sites. It was also reported that Vogt will be doing more analysis and sampling during the growing season.

It was stated that the Giddings rig should be here at the end of the summer to help with sampling and that the new pickup for the rig is here already.

ENGINEER'S REPORT

Pibel Lake Expansion

Kevin Gustafson, District Engineer, reported that he had received the concept plan from JEO for the recreation area and showed a map of the RV camping area, shower house and boat access ramp. Plans include 10 RV stalls, a two-stall shower, motorboat access with 10 car parking and concrete ramps, dock, and 10-foot-wide walking trail. He added that he and Naprstek met with Nebraska Game and Parks to discuss the boat ramp and that a meeting is scheduled with JEO to put together a grant application.

Monroe Recharge Area

Gustafson showed a map and stated that HDR is preparing a WaterSMART grant application. He discussed the location of the channels and stated he has been reviewing potential recharge locations. He showed photos of each channel from the road. Gustafson said specifics aren't known right now, but water could be pumped if needed. Callan added that when he was talking with Neal, he was informed that there are valves in the canal at each syphon that need to be automated, so that is something that could be fit into the project in exchange for use.

Mud Creek WFPO

Gustafson reported that the public review period ended on May 18th, and he had talked to NRCS, and no comments were received. He stated he is expecting to submit information to the Chief mid-June for authorization and then we can request design funding. He added that he has been discussing costs with JEO and that NRCS will have to concur with the cost. NRD will

negotiate the cost with NRCS. He stated it may be the end of summer or early fall before we find out if we get the funding.

Mira Creek WFPO

Gustafson reported that the plan has been submitted and final edits are being made. He added that the plan will go in for programmatic review at the end of the month and hopes we will have it back by mid-summer.

Sargent Flood Project

Gustafson reported that surveying was done and that geotechnical surveys will be done either next week or the following week. He stated he hopes to meet with the City of Sargent at the beginning of June.

Columbus Flood Mitigation and Resilience Plan

Gustafson reported that he has received feedback from JEO and should get the final report at the end of the month. He stated it has been recommended to develop an ice affected model to better estimate the flow impacted by ice jams, target removal or relocation of at-risk properties and to extend the risk model upstream to St. Paul if necessary.

Gustafson also reported that the new anchor has been installed on the boat dock at Davis Creek.

MANAGER'S REPORT

Water Strategies Update

Callan reported that Water Strategies has provided updates, included in the agenda.

Litigation Update

Callan reported that there was a hearing today in Bertrand on the Platte Republican Diversion and that our information was sent in for the hearing.

New Hires

Callan reported that Blake Hinrichs had been hired for summer help.

Non-action Reports

None.

NARD REPORT

Eschliman reported that the Basin Tour is coming up June 10-11.

NRC REPORT

Amsberry reported that there will be a meeting in July.

Callan added that there will be a recommendation for insurance administration switch to Blue Cross Blue Shield. He stated they will just administer our current insurance package and there will be no increase this year.

FY 2025 BUDGET WORK SESSION #1

Callan went over the following budget codes and the suggested amounts for budget.

Code 405 – Auto & Truck Expense - \$114,000
Code 167 – Auto, Trucks, & Other Equipment - \$340,000
Code 407 – Directors Expenses - \$100,000
Code 409 – Directors Per Diem - \$50,000
Code 413 – Dues & Memberships - \$71,000
Code 417 – Personnel Expenses - \$80,000
Code 419 – Fees & Licenses - \$90,000
Code 421 – Public Information, Education, and Promotion - \$244,000
Code 423 – Bonds - \$500
Code 425 – Insurance - \$75,000
Code 426 – Chemigation - \$9,500
Code 431 – Legal Notices - \$40,000
Code 432 – Miscellaneous Expenses - \$15,000
Code 433 – Office Supplies & Expenses - \$90,000
Code 169 – Office Equipment - \$80,000
Code 436 – Employment Security - \$5,500
Code 437 – Postage - \$75,000
Code 439 – Professional Services - \$75,000
Code 452 – Telephone - \$40,000
Code 453 – Utilities - \$60,000
Code 463 – Building Maintenance - \$30,000
Code 213 – Loan Repayment - \$2,000,000
Code 464 – Farm Account - \$50,000
Code 467 – Davis Creek Recreation Area & Maintenance - \$1,080,000
Code 469 – Wildlife Habitat Program - \$55,000
Code 479.00 & 454 – Pibel Lake Recreation Area & Maintenance - \$285,000

Kruse motioned, seconded by Smith, to tentatively approve FY2025 Budget Work Session #1. Motion carried by electronic vote, all present voting yes.

Knutson motioned, seconded by Bartak, to enter into Executive Session at 7:13 p.m. to discuss staff salaries. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Bartak, Bauer, DeBower, Eschliman, Knutson, Kruse, Mohrman, Nitsch,

**Petersen, Podolak, Smith, Thoene, R. Vlach. Director not present for vote: Anderson.
Directors absent: Hadenfeldt, Kauk, King, Lukasiewicz, A. Vlach.**

**Eschliman motioned, seconded by Amsberry, to exit Executive Session at 7:33 p.m.
Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson,
Bartak, Bauer, DeBower, Eschliman, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith,
R. Vlach. Director not present for vote: Thoene, Knutson. Directors absent: Hadenfeldt,
Kauk, King, Lukasiewicz, A. Vlach.**

**Mohrman motioned, seconded by Knutson, to increase staff salary 3% for cost of
living with an additional 2% to be used at General Manager's discretion and to increase
the General Manager's salary to \$170,000. Motion carried by electronic vote, all present
voting yes.**

ANNOUNCEMENTS/FUTURE MEETING TOPICS

None

ADJOURNMENT

With no further business before the Board, Chairman Thoene declared the meeting
adjourned at 7:36 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 June 27, 2024, at 5:00 p.m., at the Headquarters Office in Ord,
Nebraska.

Larry Mohrman
Secretary