

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **February 14, 2012**

OPENING OF MEETING – CHARLES RAINFORTH

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, February 14, 2012 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Vice-Chairman Rainforth called the meeting to order at 7:40 p.m.

Rainforth led the group in the Pledge of Allegiance.

Rainforth noted that a copy of the Nebraska Open Meeting Act was posted and available for any one who may want to review the document

Roll call was held.

DIRECTORS PRESENT

Board members present:

Warren Brakhahn, James Cunningham, Ross Fisher, Edward Fleharty, Jeremy Groves, Lyle Heinrichs, Joe Hergott, Rich Kahman, Marlin Kimle, Sacha Lemke, Tim Pohlmann, Charles Rainforth, John Rieckman, Gene Thomas and Randy Uhrmacher. Mike Allen arrived at 8:30.

Directors absent:

Steve Shaw.

OTHERS PRESENT

Mike Onnen, Daryl Andersen, Kevin Orvis, Marlene Faimon, Marie Herbek, Jed Weise, Randy Weise, Ron Olson and Dennis Traeger; Janet Valasek representing the NRCS.

ANNOUNCEMENT OF OFFICIAL DISTRICT NOTICE PUBLICATIONS

Legal notice of the regular meeting was provided to the *FAIRBURY JOURNAL NEWS* and the *HASTINGS TRIBUNE*. The agenda was mailed to all board members, radio, television and newspapers in the district and posted at the NRCS offices in the district and the Little Blue NRD office.

ADOPTION OF BOARD MEETING AGENDA

Onnen noted that the following change had properly been added to the posted board meeting agenda at least 24 hours prior to the commencement of the meeting; Add to Water Resource Committee Report: Certified Acre Transfer and Permits for NAD Wells. **MOTION # 1 - Hergott moved, seconded by Cunningham to approve the corrected agenda for the February 14, 2012 meeting as presented.** Carried by roll call vote - 15 yes votes.

ADOPTION OF CONSENT AGENDA - ACCEPTANCE OF BOARD MEMBER ABSENCES AND MINUTES OF JANUARY 10, 2012 BOARD MEETING

Onnen noted Shaw had notified the office of his intended absence and was excused and Allen notified the office he would be late. **MOTION # 2 – Hergott moved, seconded by Cunningham to accept the absence of Shaw and to approve the minutes of January 10, 2012.** Carried by roll call vote – 15 yes votes.

TREASURER'S REPORT – Joe Hergott

Copies of the Little Blue NRD Treasurer's Report were circulated. Hergott reviewed the report. **MOTION # 3 – Hergott moved, seconded by Cunningham to approve the report and payment of bills as presented.** Carried by roll call vote – 15 yes votes.

Hergott reviewed the Little Blue Public Water Project Treasurer's Report.

MOTION # 4 - Hergott moved, seconded by Brakhahn to approve the report and payment of bills as presented. Carried by roll call vote – 15 yes votes.

Hergott reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Hergott moved, seconded by Heinrichs to approve the report and payment of bills as presented.** Carried by roll call vote – 15 yes votes.

AGENCY REPORTS

NRCS Report – Janet Valasek

Valasek gave a brief report of the activities in the NRCS offices.

NARD Conference Report – Lyle Heinrichs

Heinrichs reported on the NARD Conference held in January.

NRC Meeting Report – Joe Hergott

Hergott reviewed the NRC Meeting which was held in conjunction with the NARD Conference.

STAFF REPORTS – Kevin Orvis

The staff report was mailed to the Director's earlier. Orvis reviewed the report and answered questions.

WATER RESOURCES COMMITTEE – Tim Pohlmann

The Water Resources Committee met prior to the regular meeting.

Nitrogen Inhibitor Discussion

Representatives from Dow AgroSciences were present at the Committee meeting to discuss nitrogen inhibitors, handling of the product and the equipment needed.

Action on Hastings Wellhead Protection Groundwater Management Action Plan

The proposed Management Area and Rules were presented for approval. **MOTION # 6 - Pohlmann moved, seconded by Heinrichs to approve the Hastings Wellhead Protection Management Action Plan (Exhibit 4) with the boundaries as shown on Exhibit 5 with an implementation date of July 1, 2012 although training can start as of March 1, 2012. This motion will have an effective adoption date of February 21, 2012 provided no further significant comments are received prior to the close of the comment period.** Carried by roll call vote – 15 yes votes.

Discussion of Water Quality Sample Results and New Potential Sub-Areas

Four areas with high nitrates were presented as potential new sub-areas. Staff will present the proposed rules at the March meeting.

Water Management Grant for 2012

A 319 and NET application for grants were submitted last fall for doing various irrigation projects. **MOTION # 7 - Pohlmann moved, seconded by Heinrichs to accept the 319 grant projects and money amounts as proposed for an area called “Carleton Water Quality Area” and staff completes the appropriate paperwork with DEQ and EPA.** Carried by roll call vote – 15 yes votes.

Water Well Permit Requests in Accordance with Rules

Several well permits that had not met either soil or aquifer minimum scores were presented for approval. **MOTION # 8 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the SW1/4 32-1N-4W for Matt Kirchoff with the condition a flow meter is installed and annual reporting of withdrawals be reported to the District with gpm recorded at beginning and ending of the irrigation season.** Carried by roll call vote – 15 yes votes.

MOTION # 9 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the NW1/4 20 2N-3E for Randall Weise with the condition a flow meter is installed and annual reporting of withdrawals be reported to the District with gpm recorded at beginning and ending of the irrigation season. Carried by roll call vote – 15 yes votes.

MOTION # 10 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the E1/4NW1/4 33-5N-7W for Skalka Brothers Inc. with the condition a conservation plan is followed, a flow meter is installed and annual reporting of withdrawals be reported to the District. Carried by roll call vote – 15 yes votes.

Transfer Requests

Two transfer permit applications were received. **MOTION # 11 – Pohlmann moved, seconded by Heinrichs to approve a transfer permit for Rex Lukow to transfer water from the NW1/4 30-6N-11W to the E1/2SE1/4 25-6N-1W.** Carried by roll call vote – 15 yes votes

MOTION # 12 – Pohlmann moved, seconded by Heinrichs to approve a transfer permit for LR Olson to transfer water from the SW1/4 36-4N-1E to the NW1/4 1-3N-1E. Carried by roll call vote. Yes: Brakhahn, Cunningham, Fisher, Fleharty, Groves, Heinrichs, Hergott, Kahman, Kimle, Pohlmann, Rieckman, Thomas, Uhrmacher and Rainforth. Abstain: Lemke.

Variance Requests

A variance request was received. **MOTION # 13 – Pohlmann moved, seconded by Heinrichs to approve a variance request for LR Olson to transfer water between the SE1/4 1-3N-1E to the NE1/4 and SE1/4 12-3N-1E.** Carried by roll call vote. Yes: Brakhahn, Cunningham, Fisher, Fleharty, Groves, Heinrichs, Hergott, Kahman, Kimle, Pohlmann, Rieckman, Thomas, Uhrmacher and Rainforth. Abstain: Lemke.

Certified Acre Transfer

A request was received to transfer certified acres. **MOTION # 14 – Pohlmann moved, seconded by Heinrichs to approve a certified acre transfer request for Jed Weise from the NE1/4 30-2N-2E and the pivot corner of the NW1/4 29-2N-2E to the pivot in the NW1/4 29-2N-2E so a full circle can be achieved.** Carried by roll call vote – 15 yes votes.

Recording and Tracking Forms

MOTION # 15 – Pohlmann moved, seconded by Brakhahn to approve the use of forms Notice of Encumbrance, Instrument of Transfer of Certified Irrigated Land and Leinholder's Consent to Transfer of Certified Irrigated Acres to assist in the tracking of irrigated acres conditions imposed by the Board. Carried by roll call vote – 15 yes votes.

Permits for NAD Wells

Well permits and a transfer permit for the NAD extraction wells were presented. **MOTION # 16 – Pohlmann moved, seconded by Groves to approve well permits for 20 high capacity extraction wells and groundwater transfer request at the former Naval Ammunition Depot.** Carried by roll call vote – 15 yes votes.

REPORT ON NAD-MARC DAM STATUS

Onnen reported on the status of the NAD-MARC project. Discussion was held. Motion 17 made by Thomas to rescind the previous motion died to no second. Due to concerns with the progress on the project staff was instructed to acquire additional information and report it at the March meeting.

BIDS ON REPLACEMENT PICKUP

Bids were let for a replacement pickup, flat bed and gooseneck trailer. **MOTION # 18 – Kahman moved, seconded by Fisher to accept the bid for the purchase of a diesel 1-ton pickup with trade of the 2004 pickup for \$23,900.00 with trade-in from Frontier Ford.**

MOTION # 19 – Kahman moved, seconded by Fisher to amend the previous motion to remove the trade-in and purchase a pickup for \$32,400.00. Carried by roll call vote. Yes: Allen, Brakhahn, Cunningham, Fisher, Groves, Heinrichs, Hergott, Kahman, Kimle, Lemke, Pohlmann, Rieckman, Thomas, Uhrmacher and Rainforth. No: Fleharty.

Action on Motion # 18 as amended carried by roll call vote – 15 yes votes.

MOTION # 20 – Hergott moved, seconded by Cunningham to accept the bid from 81 Trailer sales in the amount of \$2,250.00 for the purchase of a flat bed for the pickup. Carried by roll call vote – 16 yes votes.

MOTION # 21 – Fleharty moved, seconded by Rieckman to accept the bid from 81 Trailer Sales in the amount of \$8,650.00 for the purchase of a gooseneck trailer.

