

**LITTLE BLUE NATURAL RESOURCES DISTRICT**  
**Minutes** **November 8, 2011**

**OPENING OF MEETING – RICH KAHMAN**

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, November 8, 2011 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Kahman called the meeting to order at 7:40 p.m.

Kahman led the group in the Pledge of Allegiance.

Kahman 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, Lyle Heinrichs, Joe Hergott, Marlin Kimle, Sacha Lemke, Tim Pohlmann, Charles Rainforth, Gene Thomas, Randy Uhrmacher and Rich Kahman.

**Directors absent:**

Michael Allen, Jeremy Groves, John Rieckman and Steve Shaw.

**OTHERS PRESENT**

Mike Onnen, Daryl Andersen, Kevin Orvis, Marlene Faimon, Marie Herbek; 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**

**MOTION # 1 - Hergott moved seconded by Brakhahn to approve the agenda for the November 8, 2011 meeting as presented.** Carried by roll call vote - 13 yes votes.

**ADOPTION OF CONSENT AGENDA - ACCEPTANCE OF BOARD MEMBER ABSENCES AND MINUTES OF OCTOBER 11, 2011 BOARD MEETING**

Onnen noted that Allen, Groves, Rieckman and Shaw had notified the office of their intended absence and were excused. **MOTION # 2 – Heinrichs moved, seconded by Cunningham to accept the absences of Allen, Groves, Rieckman and Shaw and to approve the minutes of October 11, 2011.** Carried by roll call vote – 13 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 Heinrichs to approve the report and payment of bills as presented.** Carried by roll call vote – 13 yes votes.

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

**MOTION # 4 - Hergott moved, seconded by Rainforth to approve the report and payment of bills as presented.** Carried by roll call vote – 13 yes votes.

Hergott reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Hergott moved, seconded by Brakhahn to approve the report and payment of bills as presented.** Carried by roll call vote – 13 yes votes.

**AUDIT REPORT – Christy Hadden of Schultz & Associates, P.C.**

Copies of the Little Blue NRD, Little Blue Public Water Project and Little Blue Public Water Project - South audits for the year ending June 30, 2011 were presented to the Director's. Christy Hadden from Schultz & Associates P.C. of Fairbury was present to review the audits and answer questions.

**AGENCY REPORTS**

**NRCS Report – Janet Valasek**

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

**NARD Report – Lyle Heinrichs**

Heinrichs reported on the NARD Board meeting he attended in Gothenburg.

**STAFF REPORTS – Mike Onnen**

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

**PROJECTS AND PLANNING COMMITTEE REPORT – Ed Fleharty**

The Projects and Planning Committee met prior to the regular Board Meeting.

**Action on Construction Bid for Dam Site 73**

Bids were let for the construction of Dam Site 73. Eight bids were received. **MOTION # 6 – Fleharty moved, seconded by Rainforth to accept the bid from Slepicka Construction in the amount of \$337,174 for the construction of Dam Site 73 and authorize signature of the contract.** Carried by roll call vote – 13 yes votes.

**WATER RESOURCES COMMITTEE REPORT – Tim Pohlmann**

A Water Resources Committee meeting was held prior to the regular Board Meeting.

### **Various Well Permit & Conservation Plan Reviews**

Six well permits that had not met either soil or aquifer minimum scores were presented for approval. **MOTION # 7 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the SE1/4 13-4N-1W for Dean Thernes with the condition a conservation plan is followed and a flow meter is installed and annual reporting of withdrawals be reported to the District.**

Carried by roll call vote. Yes: Brakhahn, Fisher, Fleharty, Heinrichs, Hergott, Kimle, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Cunningham. Abstain: Lemke.

**MOTION # 8 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the SE1/4SE1/4 8-7N-12W for Jackie Powell with the condition a conservation plan is followed and a flow meter is installed and annual reporting of withdrawals be reported to the District.**

Carried by roll call vote. Yes: Brakhahn, Fisher, Fleharty, Heinrichs, Hergott, Kimle, Lemke, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Cunningham.

**MOTION # 9 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the NE1/4 17-7N-12W for Mary Lanning Hospital Trust with the condition a conservation plan is followed and a flow meter is installed and annual reporting of withdrawals be reported to the District.**

Carried by roll call vote. Yes: Fisher, Fleharty, Heinrichs, Hergott, Kimle, Lemke, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Brakhahn and Cunningham.

**MOTION # 10 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the W1/2SW1/4 13-5N-2W for R & N Farms with the condition a flow meter is installed and annual reporting of withdrawals be reported to the District at the beginning and end of irrigation season.**

Carried by roll call vote. Yes: Fisher, Fleharty, Heinrichs, Kimle, Lemke, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Brakhahn, Cunningham and Hergott.

**MOTION # 11 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the W1/2SW1/4 31-1N-4W for Lyle Schardt with the condition a flow meter is installed and annual reporting of withdrawals be reported to the District at the beginning and end of irrigation season.**

Carried by roll call vote. Yes: Fisher, Fleharty, Heinrichs, Hergott, Kimle, Lemke, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Brakhahn and Cunningham.

**MOTION # 12 – Pohlmann moved, seconded by Heinrichs to approve a well permit in the NE1/4 20-2N-2W for Kenneth Degenhardt with the condition a flow meter is installed and annual reporting of withdrawals be reported to the District at the beginning and end of irrigation season.**

Failed by roll call vote. Yes: Fleharty, Hergott, Kimle, Pohlmann, Uhrmacher and Kahman. No: Brakhahn, Cunningham, Fisher, Heinrichs, Lemke, Rainforth and Thomas.

### **Action on Transfer Permits – Scott Eitzman**

A transfer permit application was received. **MOTION # 13 – Pohlmann moved, seconded by Heinrichs to approve a transfer permit for Scott Eitzman to transfer water from the W1/2 36-1N-5W to the E1/2 35-1N-5W.** Carried by roll call vote. Yes: Brakhahn, Fisher, Fleharty, Heinrichs, Hergott, Kimle, Lemke, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Cunningham.

**Action on Variance Request – Layne Gissler/Gary Gunn**

A variance request was received. **MOTION # 14 – Pohlmann moved, seconded by Hergott to grant a variance request in the NW1/4 26-1N-2W to add nine acres of irrigated acres for Layne Gissler/Gary Gunn with conditions a flow meter is installed and annual reporting of withdrawals be reported to the District and an allocation of 39 inches over a three year period be allowed.**

Discussion followed. The Board realized that the conversion pivot would be a reduction in use. The motion and second were withdrawn.

**MOTION # 15 - Pohlmann moved, seconded by Brakhahn to grant a variance request in the NW1/4 26-1N-2W to add nine acres of irrigated acres for Layne Gissler/Gary Gunn with conditions a flow meter is installed and annual reporting of withdrawals be reported to the District.** Carried by roll call vote. Yes: Brakhahn, Fisher, Fleharty, Heinrichs, Hergott, Kimle, Pohlmann, Rainforth, Thomas, and Kahman. No: Cunningham and Uhrmacher. Abstain: Lemke.

**Fall Static Water Level Measurements**

Orvis reviewed the fall groundwater levels he compiled. The 2011 fall levels averaged +.086 higher than 2010 fall levels.

**MOTION # 16 - Rainforth moved, seconded by Brakhahn to reconsider Motion #12.** Carried by roll call vote. Yes: Brakhahn, Cunningham, Fleharty, Heinrichs, Hergott, Kimle, Lemke, Pohlmann, Rainforth, Thomas, Uhrmacher and Kahman. No: Fisher.

**MOTION # 17 - Rainforth moved, seconded by Kimle to approve the Kenneth Degenhardt well permit in the NE1/4 20-2N-2W for Kenneth Degenhardt with the condition a flow meter is installed and annual reporting of withdrawals be reported to the District at the beginning and end of irrigation season and the District has access to the meter at all times.** Carried by roll call vote. Yes: Brakhahn, Fisher, Fleharty, Heinrichs, Hergott, Kimle, Lemke, Pohlmann, Rainforth, Uhrmacher and Kahman. No: Cunningham and Thomas.

**BOARD DEVELOPMENT – FACTS ON SURFACE WATER APPROPRIATIONS**

Board development was not held.

**ADJOURNMENT**

Kahman adjourned the meeting at 9:45 P.M.

COUNTY OF THAYER     )  
  )  
STATE OF NEBRASKA    )

I, the undersigned, Secretary of the Little Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on November 8, 2011, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that a copy of the Nebraska Open Meetings Act was posted and available to the public; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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