

## MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday, February 13, 2024, at the South Platte Natural Resources District, 551 Parkland Drive Sidney, NE at 5:00 p.m. The public notices were published in the area newspapers. The agenda was compiled, and each member of the Board of Directors and other interested and affected persons were notified of the meeting date within the deadline.

### Board Members Present

Kathy Narjes, Chair  
Tim Maas, Vice-Chair  
Jim Johnson, Secretary  
Marc Sprenger

Chris Meyers  
Bill Halligan  
Larry Rutt

### Board Members Absent

None

### Others Present

Kristin Dickinson, NRCS  
Thad Kuntz, ARI  
Jared Derry  
Kevin Derry

### NRD Staff Present

Galen Wittrock, General Manager  
Travis Glanz, Water Resources Specialist  
Yolanda Hruska, Information & Education Coordinator  
Donald Davis, Administrative Manager  
Ryan Reisdorff, Assistant Manager  
Chris Kaiser, Natural Resources Conservationist  
Tyler Sanders, Water Resources Coordinator

### Information Material

The following information was provided electronically prior to or during the meeting and a copy of each is attached to the file copy of the minutes:

1. Tentative Agenda - Board of Directors, February 13, 2024
2. Tentative Agenda - Projects and Programs Committee, February 13, 2024
3. January 10, 2024 Minutes of the South Platte NRD (SPNRD) Board of Directors meeting
4. January 10, 2024 Minutes of the SPNRD Projects and Programs Committee meeting
5. January Treasurer's Report and Accounts Payable
6. McMillen Quarterly Report dated January 30, 2024
7. Kaiser Staff Report dated February 13, 2024
8. Davis Staff Report dated February 13, 2024
9. Keller Staff Report dated February 2, 2024
10. Reisdorff Staff Report dated February 6, 2024
11. Glanz Staff Report dated February 12, 2024
12. Sanders Staff Report dated February 13, 2024
13. Hruska Staff Report dated January 31, 2024
14. Agency
  - o USDA NRCS Update Report to NRD General Managers dated January 2024
  - o USDA Press Release "Biden-Harris Administration Makes Record Investment in Private Lands Conservation as Part of Investing in American Agenda" dated February 13, 2024
15. Other
  - o Board Committee List
16. Natural Resources Projects and Programs Committee
  - o Derry Farms Inc. Applications to Transfer Ground Water from them to KFKV Farms, Inc. and Floyd Derry Farms, Inc.
  - o Pooling Application Request from McClung Farms, Inc., and Gary Kantor

- Amended and Restated Districtwide Ground Water Management Area Rules and Regulations Redline Draft
- Countywide Meetings Tentative Agenda
- Draft Timeline for Modifying the Districtwide Ground Water Management Area Rules and Regulations dated February 1, 2024

17. Per Diem Worksheet

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1. Call to Order

Chair Narjes called the meeting to order at 5:00 p.m.

A. Nebraska Open Meetings Act

Chair Narjes stated that this meeting is subject to the Nebraska Open Meetings Act. A copy of the Act is posted in the meeting room.

B. Legal Notices

Chair Narjes acknowledged that the notice of this meeting was published in the District's newspapers and the Affidavits/Proofs of Publication are included with these minutes.

2. Pledge of Allegiance

Chair Narjes led those in attendance in the United States Pledge of Allegiance.

3. Minutes

A. Minutes of the January 10, 2024 South Platte Natural Resources District (SPNRD) Board of Directors Meeting

With no corrections or additions, motion by Halligan, second by Johnson to approve the January 10, 2024 minutes as distributed. A roll call vote was taken.

Aye: Maas, Sprenger, Meyer, Narjes, Rutt, Halligan, Johnson

Nay:

Motion carried.

B. Minutes of the January 10, 2024, SPNRD Projects and Programs Committee Meeting

These minutes were approved as distributed.

4. \*Treasurer's Report for January 2024 and Accounts Payable

Wittrock reviewed the account balances listed on the Treasurer's Report as follows:

<u>Account Description</u>	<u>January 1, 2024</u>	<u>January 31, 2024</u>
SPNRD Checking/Repurchase	\$307,076.42	\$350,210.40
SPNRD Building/Property	\$ 64,027.75	\$ 64,063.10
SPNRD Vehicle/Equipment	\$ 82,894.55	\$ 82,940.31
SPNRD ORRA Infrastructure	\$ 62,129.77	\$ 62,164.07
SPNRD Machinery & Equipment	\$ 10,066.46	\$ 10,072.01
SPNRD Computer/Server	\$ 25,248.97	\$ 25,262.91
SPNRD FA/OA Project	\$165,649.58	\$165,741.03
Citizens' Monitoring PWCB	\$ 65,934.03	\$ 73,681.11
Citizens' Monitoring CD First Tier	\$ 85,591.99	\$ 85,591.99
SPRCC NPAIT Account	\$ 49,209.90	\$ 49,432.71

Wittrock reviewed various items listed in the accounts payable. He encouraged the board members to come to the SPNRD office at any time to review the receipts and/or disbursements or ask any questions. The total amount of accounts payable is \$69,161.21. After discussion, Maas moved to approve the Treasurer's Report and authorize payment of the accounts payable in the amount of \$69,161.21. A second was made by Rutt and with no further discussion, a roll call vote was taken.

Aye: Meyer, Narjes, Rutt, Halligan, Johnson, Maas, Sprenger  
Nay:  
Motion carried.

5. Public Questions, Comments and Concerns

None

6. Director and Staff Reports

Kaiser, Davis, Keller, Reisdorff, Glanz, Sanders, Hruska, and McMillen all submitted written reports. Wittrock reviewed meetings he has attended such as the Legislative Conference and meetings he will be attending such as the Sidney Watershed Coalition meeting. The District is working with NRCS on source water wellhead protection on a shared position that would be shared between the three panhandle NRDs. He and Davis have worked with Rauner & Associates on cleaning up some accounts in QuickBooks.

7. Preliminary Robust Review Update

Kuntz reviewed the robust review pointing out some changes to the South Platte Valley subarea where the comingled acres under Western Canal were identified incorrectly and the subsequent adjustment gave accretions to the subarea bringing it to a positive result regarding the Robust Review. Discussion followed.

8. Agency Reports

A. USDA Natural Resources Conservation Service (NRCS)

1. NRCS Report

Dickinson stated that there were a couple of items in the board packet and encouraged the Directors to look at those items. NRCS staff has been working on CSP and EQIP obligations with ranking applications and moved over to contracts. It is a tight schedule to get this done. They were working on interviews for the Pheasants Forever biologist position. Those have been completed and no candidate was picked. The position has been put on hold for hiring due to potential government funding issues. The Local Work Group meeting is scheduled for March 19 at 10 a.m. at the District conference room.

B. Nebraska Association of Resources Districts

1. NARD Report

Johnson stated that there are changes coming to the executive committee at NARD. The ACE camp will be held at Burwell Nebraska. The state Envirothon will be at Ponca State Park. The conference was well attended.

2. 2024 NARD Legislative Conference Report

Wittrock stated that the state legislation bills that are being followed are being provided to the directors. Rutt discussed the statewide Mesonet that is being planned to track weather across the state.

3. 2024 Legislative Session

Wittrock discussed bills the NARD is following including LB1414 and LB1415 which relate to the property tax limits and could directly affect NRDs. Both bills are in committee at this time.

C. Nebraska Department of Natural Resources (NeDNR)

1. NeDNR Report Natural Resources Commission (NRC)

No report.

9. General Reports

A. Oliver Reservoir Report

Kaiser stated that the public meeting for Oliver Reservoir was held last week. 13 people showed up. There were two agenda items including charging for camping at Oliver Reservoir and then a

general comments item. 12 of the 13 in attendance voted yes to charging for camping and limiting the number of days for camping. Donations currently only cover around 50% of the expenses for Oliver Reservoir. Kaiser will bring the issue to the board at the March board meeting. Discussion followed. Other items discussed include putting dumpsters out, cattails on the inlet clogging the flow of water into the reservoir, and an issue with one of the boat docks.

## 10. Committee Reports

### A. Natural Resources Projects and Programs Committee - Meyer, Chair

#### 1. \*Discussion and Action on Application to Transfer Ground Water from Derry Farms, Inc. to KFKV Farms, Inc.

Meyer reviewed the ground water transfer request from Derry Farms, Inc. to KFKV Farms, Inc. The transfer application meets all the rules and regulations. The transfer application request is for 4,800-acre inches. Meyer moved to approve the application to transfer ground water from Derry Farms, Inc. to KFKV Farms, Inc. A second was made by Sprenger and with no further discussion a roll call vote was taken.

Aye: Halligan, Johnson, Maas, Sprenger, Meyer, Narjes, Rutt

Nay:

Motion carried.

#### 2. \*Discussion and Action on Application to Transfer Ground Water from Derry Farms, Inc. to Floyd Derry Farms, Inc.

Meyer reviewed the ground water transfer request from Derry Farms, Inc. to Floyd Derry Farms, Inc. The transfer application meets all the rules and regulations. The transfer application request is for 7,200-acre inches. Meyer moved to approve the application to transfer ground water from Derry Farms, Inc. to Floyd Derry Farms, Inc. A second was made by Rutt and with no further discussion a roll call vote was taken.

Aye: Johnson, Maas, Sprenger, Meyer, Narjes, Rutt, Halligan

Nay:

Motion carried.

#### 3. \*Discussion and Action on Pooling Arrangement Application

Glanz reviewed the application for the pooling arrangement between Steve McClung and McClung Farms and Gary Kanter. The application meets all of the rules and is in a floating township and meets the 50% usage rule. Meyer moved to approve the pooling arrangement agreement between McClung Farms Inc. and Gary Kanter. A second was made by Maas and with no further discussion a roll call vote was taken.

Aye: Sprenger, Meyer, Narjes, Rutt, Halligan, Johnson, Maas

Nay:

Motion carried.

#### 4. Discussion Regarding Possible Changes to the SPNRD GWMA Rules and Regulations and Integrated Management Plan

Wittrock stated that the current red line rules and regulations had no changes so they will be carried forward to next month.

#### 5. Process and Timeline Regarding Possible changes to the SPNRD GWMA Rules and Regulations

Wittrock reviewed the proposed timeline pointing out the potential changes to the timeline depending on when NeDNR will present the results of the Robust Review. The timeline could be moved back two months depending on the Robust Review meeting. The Countywide meetings will be held March 20<sup>th</sup> and 21<sup>st</sup> regardless of the timing of the Robust Review meeting. Wittrock then reviewed the agenda of the Countywide meetings. Discussion followed.

11. Request from Chair to Revisit Calendar Year 2024 Appointments

A. Committees

1. District Operations Committee

Narjes reviewed the members of the District Operations Committee. The current members are Johnson, Halligan and Narjes. It was decided to move Halligan to the committee chair to replace Narjes.

2. Natural Resources/Projects and Programs Committee

Narjes reviewed the members of the Natural Resources/Projects and Programs Committee. Rutt, Sprenger, Maas and Meyer are the current members with Meyer being the chair. No changes were made to this committee.

12. Correspondence

Witrock encouraged the board members to review the information provided in the correspondence. He then stated that if NeDNR is going to review the Robust Review then the March 2024 Board Meeting may need to be moved to March 13 from March 12.

13. Upcoming Dates

February 19, 2024, SPNRD Offices Closed, Presidents Day  
March 10, 2024, Daylight Savings Time Begins  
March 13, 2024, SPNRD Board of Directors Meetings  
March 18 - March 20, 2024, NARD Washington D.C. Conference  
April 24, 2024, Nebraska State Envirothon, Ponca State Park  
June 23-26, 2024 ACE Camp at Camp Kaleo, Burwell

14. Adjourn

With no further business, the meeting adjourned at 6:11 p.m.



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Donald Davis, Recording Secretary

\* Denotes Action Item