

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

October 27, 2022

Ord, Nebraska

The October 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 October 27, 2022. Vice Chairman Eschliman called the meeting to order at 5:03 p.m.

### CALL TO ORDER

#### Directors in attendance:

James C. Adams  
Darwin B. Anderson  
Robert L. Bauer  
John Coffey  
N. Richard Hadenfeldt  
Randy Kauk  
Matt Lukasiewicz  
Todd Nitsch  
Chad J. Podolak  
Dean G. Thede  
Rick Vlach

Rollie D. Amsberry, Treasurer  
Timothy E. Bartak  
Beth Boesch  
James Eschliman, Vice Chairman  
Dennis Hirschbrunner  
Gary A. Kruse  
Larry Mohrman  
Alan Petersen  
Gerald Smith  
Henry J. Thoene, Secretary

#### Directors absent:

Darwin B. Anderson

Timothy E. Bartak

#### Staff in attendance:

Russell G. Callan, General Manager  
Irene F. Kreifels, Administrative Assistant  
Alan Bartels, I & E Coordinator  
Dell Harris, Water Resources Specialist  
Richard Woollen, District Forester  
Mike Bechtold, IT Specialist  
Jane Klanecky, Receptionist

Tylr Naprstek, Asst. General Manager  
Kim A. Lyons, Financial Secretary  
V. Anne Freeman, Water Programs Sec.  
Brian Kolar, Projects Technician  
Jason Moudry, Water Programs Specialist  
Kevin Gustafson, District Engineer

Guests in attendance:

Bryce Bauer, Liaison DC, NRCS, Ord  
Jim Nelson, Cairo  
Tom Klanecky, DNR, Ord  
Joe Wadas, Ericson Lake Corporation

Norman Mieth, Ericson  
Alex Vlach, Columbus  
Tyler Kaps, Lammers, Abel & Kaps ,CPAs

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Eschliman asked for verification of the meeting notice. General Manager Russell Callan stated that the FY 2022 Audit Report had been added to the agenda. He said 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.

ROLL CALL

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

EXCUSED ABSENCES

Eschliman stated that Directors Anderson and Bartak had asked to be excused.

**Smith motioned, seconded by Adams, to excuse absent Directors Anderson and Bartak. Motion carried by electronic vote, all present voting yes.**

MINUTES

Eschliman asked for corrections and/or additions to the September 22, 2022, Board meeting minutes. None were heard.

**Coffey motioned, seconded by Kruse, to approve the September 22, 2022, Board meeting minutes as presented. Motion carried by electronic vote, all present voting yes.**

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$136,190.00 to Cornerstone Mapping for aerial photography; \$18,975.00 to Phoenix Web Group for updates; and \$14,000.84 to JEO Consulting Group for HMP work. He also noted expenditures of \$14,123.76 to Landgren Well Drilling for well relocation at HQ; \$16,000.00 to EA Engineering for the Cover Crop Study; and \$38,040.21 to JEO Consulting Group for work on the WFPO projects.

**Thoene motioned, seconded by Boesch, to approve the October 27, 2022, 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

Eschliman asked for comments from the public. None were heard.

## FY 2022 AUDIT REPORT

Tyler Kaps of Lammers, Abel and Kaps, stated he appreciated the work the NRD staff put into compiling the information for the audit. Kaps gave a detailed explanation of the audit to the Directors and answered questions that were presented. He stated the audit turned out well with no discrepancies. The full audit report can be viewed at the office of the Lower Loup Natural Resources District during regular business hours.

**Smith motioned, seconded by Petersen, to accept the FY 2022 Audit Report. Motion carried by electronic vote, all present voting yes.**

## FORESTER'S REPORT

Richard Woollen, District Forester, reported that a windbreak design workshop was held at the Lower Loup NRD office. He said that the LLNRD Conservation Tree Program and Forestry Improvement were discussed. Woollen said that Bessey Client's Day was cancelled due to the fires; however, he did go look at stock and the fire damage and said the nursery itself was not damaged. He showed photos of the area that burned.

## NRCS REPORT

Bryce Bauer, NRCS, Ord, reported that staff has been in the field and are working on EQIP rankings and revisiting with landowners whose plans were put together a few months ago. He said that some were also going around putting together burn plans for the spring. Bauer reported that they held interviews for the Burwell RC job and hoped to have the position filled soon.

## INFORMATION & EDUCATION REPORT

### North Central Land Judging

Alan Bartels, I & E Coordinator, reported that land judging was held at Aagaard Farm on October 12<sup>th</sup>.

### Field Trips

Bartels reported that a field trip was conducted for Ord Public Schools 3<sup>rd</sup> graders at Aagaard Farm. He said they informed the kids about water, habitat, migration, cover crops, soil, etc. The group had a scavenger hunt planned but was rained out.

#### I&E Quarterly Meeting

Bartels reported that the quarterly I&E meeting was held, and Raising NE was discussed. He said there was an exhibit that NRDs could be involved with. The group discussed ideas on new education information, such as a passport program for NRDs.

Bartels stated that the Legislative Conference would be held in Lincoln in January.

### ASSISTANT GENERAL MANAGER'S REPORT

#### Davis Creek

Tylr Naprstek, Assistant General Manager, reported that winterization had been completed at the lake and that both docks remain available for use until ice forms.

#### Pibel Lake

Naprstek reported that there was an incident at Pibel Lake where someone drove across the pedestrian bridge and got their vehicle stuck.

#### NRD Fall Field Work

Naprstek reported that staff was working on getting portable pumps deployed to all sites and next week they would begin on Sandhills transect wells. He said there were roughly 100 static water levels left to read and that fall flowmeter readings were almost completed.

#### Drought Monitoring

Naprstek showed the Drought Monitor Map for the state and discussed the areas of concern.

#### Cover Crop Study

Naprstek reported that Moudry and Ruterbories were working with EA to continue the study. He stated that there should be a final report available in the Spring/Summer of 2023 on the moisture penetration of soil with vs without cover crops.

### WATER RESOURCES COMMITTEE

#### 2022 Irrigated Acres Applications

Naprstek said that staff had reviewed the applications and that Harris would go over a power point with a breakdown of all applications.

Dell Harris, Water Resources Specialist, showed a map of the District, highlighting the location of applications that were received. He said there were 26 applications for 536 acres in the Middle Loup Basin and 17 for 588 acres in the North Loup Basin. Harris also showed a breakdown of the number of acres applied for by county, the total acres applied for, and the average high and low scoring application in each basin.

Naprstek showed the application cutoff for the staff-recommended acres in each basin. He reviewed the proposed timeline of the approval/denial and explained that the producers had a deadline of July 1, 2023, to have the acres certified.

Naprstek showed modeling of the new applications when entered in the Groundwater Evaluation Toolbox (GET). He reviewed the modeling showing the cumulative change in the water budget for staff-approved acres through the year 2070 and showed a comparison to the staff-recommended denied applications. Naprstek also showed modeling of the impact on streamflow should the acres be approved. He explained that both basins had sufficient flow for the staff-approved acres and reviewed static water level analysis modeling as well as the Lower Platte Basin River Coalition allocation numbers if the acres were approved.

Concern was expressed from several Directors about allowing new acres in such a dry year. Further discussion was held regarding water mound areas and the increase from the 1980s until present day. Static water level readings were shown in the increase and decrease areas and indicated the largest increase in water level between the two rivers.

**Smith motioned, seconded by Mohrman, to approve the 2022 staff-recommended irrigated acres applications.**

Further discussion was held on past procedures on approval or denial of applications. Scoring procedures and minimum required score were discussed.

**Motion carried by electronic vote. Directors voting yes: Amsberry, Bauer, Coffey, Eschliman, Hadenfeldt, Hirschbrunner, Lukasiewicz, Mohrman, Nitsch, Petersen, Thede, Thoene, Vlach. Directors voting no: Adams, Boesch, Kauk, Kruse, Podolak, Smith. Directors absent: Anderson, Bartak.**

#### Long-Range Implementation Plan Discussion – Water

Naprstek stated the entire plan would be discussed during the Projects Committee report.

#### Drought Management Plan Review

Naprstek stated that a copy of the plan was sent out to the tablets for review.

#### Nitrogen Management Discussion

Naprstek reported that a meeting was held at the NRD on Nitrogen Management. He said that some repeat cooperators attended and that UNL representatives were also present. Naprstek stated there was good discussion and information would be passed on to the Board.

Callan stated that he had just attended a Nitrogen Management meeting in Lincoln. Naprstek stated there was an article from *Flatwater Press* uploaded to the tablets and Smith stated there was an article coming out in *Nebraska Farmer* regarding nitrates.

### Columbus Recharge Project – Update

Callan reported that Kolar had been in Columbus, and they were in the learning stage of the pumping. Callan presented the Directors with a letter from the Christopher's Cove HOA President regarding their concerns with the pumps not running and his response letter.

Callan stated the original plan was to shut pumps down when there is water under River Rd. He said that everything is ran manually currently during the learning phase. He added that they will not run the pumps after it freezes.

Hirschbrunner stated that the neighbors of the lake were pleased when the pumps were running but there was concern of lake levels now that pumping had stopped. He stated he thought the project was for recharge as well as recreation and living and did not understand why operations were coupled. He expressed concern of continued pumping from ADM and the pumps being shut down.

Callan explained that as we recharge and as we figure out what the channel is doing, there may be potential to run the pumps more; however, the parameters were not met. He stated there would be an operation plan put together once testing was complete.

## PROGRAMS/PROJECTS COMMITTEE

### Columbus Powerhouse Trail – Request

Kruse gave the background of the project and stated their original funding request was in 2017. However, due to flooding and COVID-19, the project was delayed and had just been completed this summer. He explained that the original funding approval had sunset with the NRD and that they were back to request that the initial contribution amount be honored. A map was shown of the trail. Callan added that there was funding set aside in the budget for unforeseen requests.

**Kruse motioned, seconded by Boesch, to provide a \$75,000 contribution to the Columbus Powerhouse Trail Project. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Bauer, Boesch, Coffey, Eschliman, Hadenfeldt, Hirschbrunner, Kauk, Kruse, Lukaszewicz, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Director voting no: Mohrman. Directors absent: Anderson, Bartak.**

### Ericson Dam Discussion

Kruse reported that Ericson Dam's SCADA system was outdated, and the Association was requesting a contribution of 50% of the \$55,000 needed for replacement. Kruse said that 20% was the standard contribution for this type of project and that was the Committee's recommendation.

Joe Wadas, Ericson Dam, reported to the Board that the Association had requested funding assistance from Wheeler County and had been turned down. He said that they have raised \$23,000 of the necessary funding. He said they will have their annual "Lights on the Lake" fundraiser the first weekend of December. He explained that the SCADA system helps with the monitoring and controlling of the gates.

**Kruse motioned, seconded by Vlach, to participate in the Ericson Dam SCADA upgrades at a rate of 20%, not to exceed \$10,000.00. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Boesch, Coffey, Eschliman, Hadenfeldt, Hirschbrunner, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Director not present for vote: Bauer. Directors absent: Anderson, Bartak.**

### FLAP Grant – Davis Creek

Kruse reported that the NRD was not awarded the FLAP grant that was applied for for the Davis Creek entry road. Naprstek stated that the FLAP Grant money would not be available again for another year or two. A map was shown of the planned road resurfacing that would be done utilizing the BOR funding.

### Pibel Lake Restroom Replacement

Kruse stated that the restrooms at Pibel Lake were aging and needed to be replaced. He reported that the Committee recommended purchasing a single and a double unit from Boom Concrete.

**Kruse motioned, seconded by Petersen, to purchase a single unit and a double unit restroom from Boom Concrete for the cost of \$49,442.50. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Boesch, Coffey, Eschliman, Hadenfeldt, Hirschbrunner, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Director not present for vote: Bauer. Directors absent: Anderson, Bartak.**

### Mud Creek/Mira Creek WFPO

Gustafson toured both WFPO sites with NRCS and various engineers, geologists, and environmentalists. He said there were no concerns thus far with the project. He reported that there was a potential new borrow site for the Mud Creek Project.

### Sargent Flood Project

Callan reported that the WSF grant for the Sargent Flood Project came in, so the match would be covered if the Federal grant is received. There will hopefully be an answer in March or April.

### Long-Range Implementation Plan - Projects

It was discussed that the plan had been reviewed in Committee meetings.

**Kruse motioned, seconded by Smith, to approve the Long-Range Implementation Plan in its entirety. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Bauer, Boesch, Eschliman, Hadenfeldt, Hirschbrunner, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Director not present for vote: Coffey. Directors absent: Anderson, Bartak.**

### VARIANCE COMMITTEE

Thoene reported that Darren and John Stevenson of JWH Farms LLC presented a variance request to the Committee to clean up co-mingled acres on their land. Thoene said this was the first meeting on the variance and a recommendation would be made in November.

### ENGINEER'S REPORT

#### Lillian Creek Dam Review

Gustafson showed a map of the area around the proposed Lillian Creek Dam location. He showed drone footage of the area he and Kolar had taken. He highlighted the proposed location of the mouth of the dam and centerline of the proposed structure.

Gustafson also went over a review of what has been done so far with testing for the project. He showed the outlines of what different lake elevations would look like and reviewed the reports that had been submitted by engineers working on the project. Cost estimates and economic analysis were reviewed as well as size comparison to surrounding lakes, seepage estimates and estimated depth to water modeling for pre- and post-dam construction. Gustafson said he has heard of concern about water levels in surrounding towns and, based on the modeling, the water mounding would not go far beyond the dam structure.

Discussion was held regarding effect on surrounding water mounding, seepage rates, elevation differences, off-season pumping requirements, and funding possibilities. Discussion was also held on reviewing other sites within the District that may work for a potential recharge project.

**Adams motioned, seconded by Coffey, to shelve the Lillian Creek Dam project and look at other options.**



Discussion was held on what a new site review process could entail. Eschliman cautioned that if this Board shelves the project, a future Board could revive it. Podolak asked if a timeline should be set to review this again in the future.

**Motion rescinded.**

Discussion was held on proper length of time for review and possibility of seeking other sites that may have an active stream and higher benefits to irrigation.

**Peterson motioned, seconded by Adams, to cease pursuing the Lillian Creek Project at this time.**

Hadenfeldt asked when the project should be revisited. Petersen stated that more information may be obtained later and then it could be reviewed. Kruse expressed concern with water leaving the state and finding ways to keep it here. Hadenfeldt stated that the NRD could not deny the public a project if it would be beneficial to them. Lukasiewicz stated that the NRD does not know how much it would recharge. Hadenfeldt said that the value comes from the recharge into the aquifer and that the benefits of a dam could be drawn out quite a ways and if tabled. He added that we may have to either prove or disprove the project at some point.

Further discussion was held on mounding, permeability, storing and pumping, and cost-benefit ratio. It was suggested that some type of criteria be developed for looking at projects such as this. Another suggestion was to look at smaller dams spread out instead of a larger, costlier one. Cost of the project was discussed.

Callan added that there are several options. The project could be tabled now, staff could seek funding to do more studies on the project, or we could keep doing piece by piece and continue to revisit. He said that at the time five sites were brought forward for review, and this was the one that was chosen to be studied.

Further discussion was held on the proposed size and what the previous vote was on the project. Callan stated that the permeability study was the last thing done at the site and the next step would be to do a dam stability study and see what it would take to build the dam.

Petersen called for point of order and called for a vote to end discussion and vote on the current motion on the floor.

**Smith motioned, seconded by Boesch, to end discussion on the Lillian Creek Dam so vote can be held on the current motion on the floor. Carried by electronic vote. Directors voting yes: Adams, Bauer, Boesch, Coffey, Hadenfeldt, Hirschbrunner, Kauk, Lukasiewicz, Mohrman, Nitsch, Petersen, Smith, Thede, Thoene, Vlach. Directors voting no: Amsberry, Eschliman, Kruse, Podolak. Directors absent: Anderson, Bauer.**

**Vote held. Motion carried by electronic vote. Directors voting yes: Adams, Bauer, Boesch, Coffey, Eschliman, Hadenfeldt, Hirschbrunner, Kauk, Lukasiewicz, Mohrman,**

**Nitsch, Petersen, Smith, Thede, Thoene, Vlach. Directors voting no: Amsberry, Kruse, Podolak. Directors absent: Anderson, Bauer.**

## MANAGER'S REPORT

### Litigation Update

Callan reported that he still had not heard anything on the Platte Republican Diversion.

### New Hires

Callan reported that Adam Brockmann had accepted the open position in Columbus and would be working with the Columbus Project as well as Areas 29 & 30.

### Non-action Reports

Callan reminded everyone that the November meeting would revert to a 4:00 p.m. start time and that the regular meeting would be held on November 17<sup>th</sup> with committee meetings held on the 8<sup>th</sup>, due to Thanksgiving.

## NARD REPORT

Eschliman reported that there had not been a meeting since convention; however, there would be a meeting held tomorrow and another in a week.

## NRC REPORT

Hadenfeldt reported that he served on the scoring committee again this year. He said that the Commission approved 7 small projects and 2½ large projects.

## RC&D REPORT

Adams reported that the walls were up for the new Legion Building in Burwell and that they were hoping to have rafters installed and the building enclosed this weekend.

## ANNOUNCEMENTS / FUTURE MEETING TOPICS

None

## ADJOURNMENT

With no further business before the Board, Chairman Eschliman declared the meeting adjourned at 8:26 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 November 17, 2022, at 4:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary