

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
August 12, 2010

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the W.W. Wood Building on the North Campus of the North Platte Community College, 1101 Halligan Drive, North Platte, Nebraska on August 12, 2010. Mr. Rubenthaler called the meeting to order at 7:38 pm CDT (6:38 pm MDT). A legal notice of the meeting was published in the NORTH PLATTE TELEGRAPH. A news release containing the agenda for the meeting and including the time and place was sent to the news media in the District.

BOARD MEMBERS PRESENT

Eric Hansen
Dale Margritz
Jim Meisner
Bob Petersen
Jim Rubenthaler
Dennis Schilz
Joe Wahlgren
Jerry Weaver
Bob Wiseman

BOARD MEMBERS ABSENT

Doug Stack
Shane Storer

NRCS PERSONNEL PRESENT

Mary Reece

STAFF PRESENT

Bill Carhart, Range Programs Coordinator
Ann Dimmitt, Water Programs Regulatory Coordinator
Amy Mapes, Administrative Assistant
Kent Miller, General Manager

OTHERS PRESENT

Brad Johnson, Sargent Irrigation
Bart Nichols, Sargent Irrigation
Bob Peterson, Candidate for TPNRD Board of Directors
Jeff Shafer, NPPD

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Rubenthaler reported that the Nebraska Open Meeting Act requires public bodies to make available at least one current copy of the Open Meeting Act posted in the meeting room at a location accessible to members of the public, and at the beginning of the meeting the public shall be informed about the location of the posted information. Mr. Rubenthaler reported that the current Open Meeting Act was in the back of the

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

meeting room and accessible to members of the public.

Report of Directors Excused – Mr. Rubenthaler reported that Operating Policy Number 4: BOARD OF DIRECTORS ABSENCES provides that a Director will be considered excused if the Director notifies the office prior to the meeting that he will be absent and that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Rubenthaler reported that Mr. Stack notified the office that he would be absent and is therefore excused. Mr. Rubenthaler reported that Mr. Storer did not notify the office that he would be absent and is therefore unexcused.

Distribution of Information – Mr. Rubenthaler reported that handouts were available for the public in the back of the meeting room.

Other Announcements – Mr. Rubenthaler reported that the monthly summary report of Natural Resources Conservation Service conservation plans was available for information and that the report would be passed around the Board table for review by each member of the Board of Directors present.

PUBLIC FORUM

Mr. Rubenthaler opened the Public Forum. There were no comments. Mr. Rubenthaler closed the Public Forum.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

None presented.

BOARD OF DIRECTORS MINUTES

Minutes for July 8, 2010 Meeting – Mr. Rubenthaler reported that the Minutes for the July 8, 2010 meeting were in the Directors’ packet and he asked if there were any corrections or additions.

Mr. Petersen moved that the Minutes of the July 8, 2010 Board of Directors meeting be approved. Mr. Wiseman seconded the motion. The motion carried. (Motion #1)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren,
Weaver, Wiseman
Nay: None
Absent: Stack, Storer

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mary Reece, District Conservationist, distributed and reviewed a report.

University of Nebraska School of Natural Resources Conservation & Survey Division - Request for Assistance – Mr. Miller reported that in the Directors’ Board meeting packet was a letter from Mark Kuzila.

Mr. Wiseman moved to approve donating \$300.00 to the University of Nebraska School of Natural Resources Conservation & Survey Division for the 2010 Region V Collegiate Soil Judging activity in the TPNRD September 27 – October 1, 2010. Mr. Weaver seconded the motion. The motion carried. (Motion #2)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Other Agencies – No reports presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources SubCommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources SubCommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the subcommittee meeting held on August 12, 2010.

Ground Water Management – Variances – Requests – BBMC Land Company LTD – Mr. Meismer reported that the TPNRD received a request for a variance from BBMC Land Company LTD. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a request from BBMC Land Company LTD to de-certify and transfer 3.10 certified ground water irrigated acres from the SW¼ Section 15, Township 11 North, Range 26 West, Lincoln County, Nebraska, to the same section to relocate those acres under a pivot irrigating acres that use to be an irrigation ditch. Mrs. Dimmitt reported that the 3.10 acres that were not certified is where the irrigation ditch ran through the

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

section. Mrs. Dimmitt reported that the Land Company has since relocated the irrigation ditch so that the pivot can go around without having to cross the irrigation ditch several times. Mrs. Dimmitt reported that the same number of acres being transferred under the pivot will be removed from irrigation where the irrigation ditch is not located. Mrs. Dimmitt reported that there will be no new depletions to the river. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to BBMC Land Company LTD to transfer 3.10 ground water irrigated acres from the SW¼ Section 15, Township 11 North, Range 26 West, Lincoln County, Nebraska conditioned on: (1) BBMC Land Company LTD filing with the County Register of Deeds that the lands have been de-certified and will not be irrigated in the future and proof of the filing is provided to the TPNRD; (2) BBMC Land Company LTD providing the TPNRD proof of ownership; (3) if there are contracts for state or federal programs requiring previously irrigated lands to not be irrigated, it is the responsibility of BBMC Land Company LTD and not the TPNRD to be in compliance with those contracts; (4) BBMC Land Company LTD executing a signed and notarized affidavit that the TPNRD is not responsible for any new depletions and offsets that may be required due to the transfer by other parties; and (5) BBMC Land Company LTD pay the \$200 application fee to be collected when the transfer form is completed. Mr. Schilz seconded the motion. The motion carried. (Motion #3)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Ground Water Management – Variances – Requests – Kyle Hulinsky – Mr. Meismer reported that the TPNRD received a request for a variance from Kyle Hulinsky. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a request from Kyle Hulinsky to de-certify and transfer 5.0 certified ground water irrigated acres from the NW corner of the pivot located in Section 31, Township 13 North, Range 40 West, Keith County, Nebraska, to the same section but to relocate those acres under a pivot irrigating acres that use to be an old homestead and were not irrigated. Mrs. Dimmitt reported that the 5.0 acres that were not certified are on the east side of the pivot. Mrs. Dimmitt reported that the same number of acres being transferred under the pivot will be removed from irrigation from the NW corner of that pivot. Mrs. Dimmitt reported that there will be no new depletions to the river. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to Kyle Hulinsky to transfer 5.0 ground water irrigated acres from the NW corner of the pivot located in Section 31, Township 13 North, Range 40 West, Keith County, Nebraska, conditioned on: (1) Kyle Hulinsky filing with the County Register of Deeds that all the lands have been de-certified and will not be irrigated in the future

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

and proof of the filing is provided to the TPNRD; (2) Kyle Hulinsky providing the TPNRD proof of ownership; (3) if there are contracts for state or federal programs requiring previously irrigated lands to not be irrigated, it is the responsibility of Kyle Hulinsky and not the TPNRD to be in compliance with those contracts; (4) Kyle Hulinsky executing a signed and notarized affidavit that the TPNRD is not responsible for any new depletions and offsets that may be required due to the transfer by other parties; and (5) Kyle Hulinsky pay the \$200 application fee to be collected when the transfer form is completed. Mr. Petersen seconded the motion. The motion carried. (Motion #4)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Ground Water Management – Variances – Requests – Alvina Collins – Mr. Meismer reported that the TPNRD received a request for a variance from Alvina Collins. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a request from Alvina Collins to de-certify and transfer 8.19 certified ground water irrigated acres from the S½ Section 3, Township 13 North, Range 39 West, Keith County, Nebraska, to the same section but relocate those acres under a pivot that has been moved slightly to the west. Mrs. Dimmitt reported that the 8.19 acres that were not certified are on the northwest side of the pivot. Mrs. Dimmitt reported that the same number of acres being transferred under the pivot will be removed from irrigation on the northeast corner of that pivot. Mrs. Dimmitt reported that the reason for the shifting of the pivot was the Ogallala Airport, who condemned a portion of Alvina Alvina’s property beneath the pivot. Mrs. Dimmitt reported that with a little dirt work, there was enough room to shift the pivot to the west. Mrs. Dimmitt reported that there will be no new depletions to the river. Mrs. Dimmitt reported that in the Directors’ Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Alvina Collins to transfer 8.19 ground water irrigated acres from the S½ Section 3, Township 13 North, Range 39 West, Keith County, Nebraska, conditioned on: (1) Alvina Collins filing with the County Register of Deeds that all the lands have been de-certified and will not be irrigated in the future and proof of the filing is provided to the TPNRD; (2) Alvina Collins providing the TPNRD proof of ownership; (3) if there are contracts for state or federal programs requiring previously irrigated lands to not be irrigated, it is the responsibility of Alvina Collins and not the TPNRD to be in compliance with those contracts; (4) Alvina Collins executing a signed and notarized affidavit that the TPNRD is not responsible for any new depletions and offsets that may be required due to the transfer by other parties and; (5) Alvina Collins pay the \$200 application fee to be collected when the transfer form is completed. Mr. Wiseman seconded the motion. The motion carried. (Motion #5)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

Nay: None

Absent: Stack, Storer

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

Ground Water Management – Variances – Requests – DJ Land & Cattle Inc – Mr. Meismer reported that the TPNRD received a request for a variance from DJ Land & Cattle Inc. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a request from DJ Land & Cattle Inc to de-certify and transfer 69.79 certified ground water irrigated acres from the SE¼ Section 36, Township 13 North, Range 36 West, Keith County, Nebraska, to the SW¼ of Section 35, Township 13 North, Range 35 West, Keith County, Nebraska. Mrs. Dimmitt reported that DJ Land & Cattle Inc is requesting the relocation of a half circle wiper pivot from a location outside the one mile buffer from the Village of Paxton. Mrs. Dimmitt reported that the new location of the half circle wiper pivot will be located farther away from the river, going from a higher SDF to a lower SDF value. Mrs. Dimmitt reported that the same number of acres under the current half wiper pivot will be transferred at a one-acre-to-one-acre ratio to the new location. Mrs. Dimmitt reported that at the new location of the half wiper pivot, a new well permit is currently being requested. Mrs. Dimmitt reported that there will be no new depletions to the river. Mrs. Dimmitt reported that in the Directors’ Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to DJ Land & Cattle Inc to transfer 69.79 ground water irrigated acres from the SE¼ Section 36, Township 13 North, Range 36 West, Keith County, Nebraska, to the SW¼ of Section 35, Township 13 North, Range 35 West, Keith County, Nebraska, conditioned on: (1) DJ Land & Cattle Inc filing with the County Register of Deeds that all the lands have been de-certified and will not be irrigated in the future and proof of the filing is provided to the TPNRD; (2) DJ Land & Cattle Inc providing the TPNRD proof of ownership; (3) a 12 month limitation for transfers to physically take place, (4) if there are contracts for state or federal programs requiring previously irrigated lands to not be irrigated, it is the responsibility of DJ Land & Cattle Inc and not the TPNRD to be in compliance with those contracts; (5) DJ Land & Cattle Inc executing a signed and notarized affidavit that the TPNRD is not responsible for any new depletions and offsets that may be required due to the transfer by other parties; (6) DJ Land & Cattle Inc paying the \$200 application fee to be collected when the transfer form is completed and (7) DJ Land & Cattle Inc modifying the existing irrigation well to pump no more than 50 gpm at the decertified location. Mr. Schilz seconded the motion. The motion carried. (Motion #6)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman
Nay: None
Absent: Stack, Storer

Ground Water Management – Variances – Requests – Florence Tillman – Mr. Meismer reported that the TPNRD received a request for a variance from Florence Tillman. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a request from Florence Tillman to de-certify

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

and transfer 7.01 certified ground water irrigated acres from the S½NE¼ Section 14, Township 14 North, Range 32 West, Lincoln County, Nebraska, to the same section but relocated under a pivot irrigating acres that were not previously irrigated. Mrs. Dimmitt reported that the 7.01 acres that were not certified are on the north and west portion of the pivot. Mrs. Dimmitt reported that the ground was originally flood irrigated and non-irrigated pasture prior to the pivot being installed. Mrs. Dimmitt reported that by trying to be more efficient and converting from flood irrigation to a pivot, some of the non-irrigated pasture is now being irrigated. Mrs. Dimmitt reported that Florence Tillman has agreed to remove acres from irrigation that used to be flood irrigated on the east and west side of the field. Mrs. Dimmitt reported that in doing so, there are still some acres considered new, and in order to have no new acres, Florence Tillman will need to shut off the end gun when going over what used to be pasture. Mrs. Dimmitt reported that the same number of acres being transferred under the pivot will be removed from irrigation. Mrs. Dimmitt reported that there will be no new depletions to the river. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to Florence Tillman to transfer 7.01 ground water irrigated acres from S½NE¼ Section 14, Township 14 North, Range 32 West, Lincoln County, Nebraska, conditioned on: (1) Florence Tillman filing with the County Register of Deeds that all the lands have been de-certified and will not be irrigated in the future and proof of the filing is provided to the TPNRD; (2) Florence Tillman providing the TPNRD proof of ownership; (3) Florence Tillman working with the TPNRD to develop a permanent solution within twelve months to replace of the temporary solution of shutting off the end gun; (4) if there are contracts for state or federal programs requiring previously irrigated lands to not be irrigated, it is the responsibility of Florence Tillman and not the TPNRD to be in compliance with those contracts; (5) Florence Tillman executing a signed and notarized affidavit that the TPNRD is not responsible for any new depletions and offsets that may be required due to the transfer by other parties; and (6) Florence Tillman paying the \$200 application fee to be collected when the transfer form is completed. Mr. Schilz seconded the motion. The motion carried. (Motion #7)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Ground Water Management – Variances – Requests – Board of Educational Lands and Funds –
Mr. Meismer reported that the TPNRD received a request for a variance from the Board of Educational Lands and Funds. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a request from the Board of Educational Lands and Funds (BELF) to de-certify and transfer 27.24 certified ground water irrigated acres from the N½S½ Section 12, Township 13 North, Range 35 West, Keith County, Nebraska, to the same section but relocate those acres under a pivot irrigating acres that were not irrigated before. Mrs. Dimmitt reported that the 27.24 acres that were not certified are on the north portion of the pivot. Mrs. Dimmitt reported that the land was flood irrigated and pastures prior to the pivot

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

being installed. Mrs. Dimmitt reported that the same number of acres being transferred under the pivot will be removed from irrigation from the flood field to the west. Mrs. Dimmitt reported that the map appears as though the pivot is irrigating more than the allowed acres, because initially the pivot was incorrectly flagged and the pasture was torn up before the pivot was installed. Mrs. Dimmitt reported that the pivot now has dryland corn around the north edge. Mrs. Dimmitt reported that there are no new depletions to the river due to this change. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to the Board of Educational Lands and Funds (BELF) to transfer 27.24 ground water irrigated acres from N½S½ Section 12-T13N-R35W, Keith County, conditioned on: (1) BELF filing with the County Register of Deeds that all the lands have been de-certified and will not be irrigated in the future and proof of the filing is provided to the TPNRD; (2) BELF providing the TPNRD proof of ownership; (3) if there are contracts for state or federal programs requiring previously irrigated lands to not be irrigated, it is the responsibility of BELF and not the TPNRD to be in compliance with those contracts; (4) BELF executing a signed and notarized affidavit that the TPNRD is not responsible for any new depletions and offsets that may be required due to the transfer by other parties; and (5) BELF paying the \$200 application fee to be collected when the transfer form is completed. Mr. Wiseman seconded the motion. The motion carried. (Motion #8)

Aye: Hansen, Margritz, Meisner, Petersen, Rubenthaler, Schilz, Wahlgren,
Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Ground Water Management – Violations – Mr. Meisner reported that of the twelve potential violations that have been identified from the aerial photos and letters were sent to, that the office has heard from eleven.

Meetings – Mr. Meisner reported on the meeting related to the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska held on July 27, 2010 at the Gothenburg Water Utilization Learning Center (Monsanto) near Gothenburg, Nebraska. Mr. Meisner reported that Harriet Hageman, TPNRD Legal Counsel and Mr. Miller attended the meeting. Mr. Meisner reported that the staff from the CPNRD, NPNRD, SPNRD, TBNRD, TPNRD, and the Nebraska Department of Natural Resources will meet in September to review information provided and determine if any actions are needed.

Mr. Meisner reported that the joint Platte Basin NRD Water Resources Subcommittees meeting (Central Platte, North Platte, South Platte, Tri-Basin, Twin Platte) scheduled for September 1, 2010 has been cancelled.

Aerial Geophysical Mapping - Status / Funding – Mr. Miller reported that Rod Horn, General Manager SPNRD, Ron Cacek, General Manager NPNRD, Jim Cannia – Hydrologist – USGS,

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

Jim Goeke – UNL Conservation & Survey Division, and he were continuing to meet this summer to determine priorities and funding for analyzing the data obtained this summer and for obtaining additional data and analysis. Mr. Miller reported that in the Directors’ Board meeting notebooks was a schedule for discussions. Mr. Miller reported that options for funding would be directly from the USGS, authorized funds from Congress through Senator Ben Nelson, and funding from the Nebraska Environmental Trust.

Aerial Geophysical Mapping - Nebraska Environmental Trust Application – Mr. Miller reported that in the Directors’ Board meeting notebook was a draft Nebraska Environmental Trust Application titled “Characterization of Selected Panhandle and West Central Aquifers using Airborne Geophysics with Magnetic Resonance Survey” for the NPNRD, the SPNRD, and the TPNRD. Mr. Miller reported that the annual local cost share for the three year project is \$100,000.00 for the NPNRD, \$50,000.00 for the SPNRD, and \$100,000.00 for the TPNRD. Mr. Miller reported that the deadline to submit the application is during the first week of September.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors that the TPNRD support and participate in an application to the Nebraska Environmental Trust for the “Characterization of Selected Panhandle and West Central Aquifers using Airborne Geophysics with Magnetic Resonance Survey” project for the NPNRD, the SPNRD, and the TPNRD, that the TPNRD 2010-2011 Fiscal Year Budget will include funding in the amount of \$100,000.00 for the first year of the project, and the TPNRD will provide continued funding of \$100,000.00 per year for the second and third years of the project if the project is funded by the Nebraska Environmental Trust. Mr. Schilz seconded the motion. The motion carried. (Motion #9)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman
Nay: Hansen
Absent: Stack, Storer

Aerial Geophysical Mapping - Interlocal Cooperation Agreement - Mr. Miller reported that Rod Horn, General Manager SPNRD, has prepared an Interlocal Cooperation Agreement for Aerial Geophysical Surveys in the NPNRD, SPNRD, and TPNRD that was in the Directors’ Board meeting packet. Mr. Miller reported that the legal counsel for the SPNRD has reviewed the Interlocal Cooperation Agreement.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the Interlocal Cooperation Agreement for Aerial Geophysical Surveys in the NPNRD, SPNRD, and TPNRD as presented and to authorized the General Manager to sign the Agreement for the TPNRD. Mr. Schilz seconded the motion. The motion carried. (Motion #10)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman
Nay: None
Absent: Stack, Storer

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

Integrated Management Plan (IMP) - Timeline – Mr. Meisner reported that the current timeline for developing and implementing revised Rules & Regulations is:

<u>Task</u>	<u>Dates</u>
Water Subcomm./Board – Approve Rules & Reg. for Pub. Hearing	Aug 12
Process Variances – Current Rules & Reg. (plus other conditions)	Aug 12
<i>Water Subcomm. – Offsets Options</i>	<i>Aug 12</i>
Legal Counsel – Request to Prepare Draft Order for Rules & Reg.	Aug 13
Legal Counsel – Draft Order Deadline	Sept 1
Public Hearing - Rules & Reg.	Sept 9
Board – Approve Rules & Reg. Order	Sept 9
Process Variances – Current Rules & Reg. (plus other conditions)	Sept 9
<i>Water Subcomm. – Offsets Options</i>	<i>Sept 9</i>
Publish Rules & Reg. Order in NP Telegraph	Sept 16, 23, 30
Effective Date for Rules & Reg. Rev.	October 14
Process Variances – New Rules & Reg.	October 14
<i>Water Subcomm. / Bd. Mtg. – Offsets Options</i>	<i>On Going</i>

Integrated Management Plan (IMP) - Rules and Regulations – Mr. Meisner reported that the latest draft for revisions of the Rules and Regulations discussed by the Subcommittee on July 8, 2010 were included with the Directors’ Board meeting packet.

Mr. Meisner moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the proposed amendments for the Districtwide Ground Water Management Area Rules and Regulations for public hearing and to set the public hearing for September 9, 2010 to be held at 3:00 p.m. CDT (2:00 p.m. MDT) in Room 200 at the WW Wood Building on the North Campus of North Platte Community College, 1101 Halligan Drive, North Platte, Nebraska. Mr. Wiseman seconded the motion. The motion carried. (Motion #11)

Aye: Hansen, Margritz, Meisner, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman
Nay: None
Absent: Stack, Storer

Integrated Management Plan (IMP) - Offset Water – Agricultural Water Enhancement Program (AWEP) – Mr. Meisner reported that the Agricultural Water Enhancement Program (AWEP) provides payments from the USDA for 5 years, based on practice payment schedules that vary across the basin, for temporary retirement of irrigation and lands enrolled in the program could be linked to permanent retirement of irrigation with the lands converted to dryland cropland, grassland or wildlife habitat. Mr. Meisner reported that 3 applications have indicated an interest

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

in a permanent retirement of irrigation. Mr. Meismer reported that in the Directors' Board meeting notebook was information for selecting a payment offer.

Mr. Meismer moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve offering \$3,500.00 per acre-feet for offset water to the river for the permanent retirement of ground water irrigation for lands that may be approved for funding through the Agricultural Water Enhancement Program (AWEP). Mr. Wahlgren seconded the motion. The motion carried. (Motion #12)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren,
Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Integrated Management Plan (IMP) - Offset Water – Mr. Meismer reported that the Subcommittee did not have time to continue discussion of potential options for offset water.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

Mr. Schilz, Wildlife Habitat & Urban Affairs Subcommittee member, presented a report for the subcommittee meeting held on August 12, 2010.

Urban Forestry Program - Program Report - Mr. Schilz reported that Mr. Slattery presented a report on the TPNRD's Urban Forestry Program to the Subcommittee. Mr. Schilz reported that in the Directors' Board meeting notebook was information for the TPNRD's Urban Forestry Program.

Urban Forestry Program - Approved Community Programs

Mr. Schilz moved the Wildlife Habitat & Urban Affairs Subcommittee's recommendation to the Board of Directors to authorize \$1,980.01 for funding the Sutherland Urban Forestry Program July 1, 2010 through June 30, 2011, to authorize \$2,000.00 for funding the North Platte Urban Forestry Program July 1, 2010 through June 30, 2011 and to authorize \$2,0000.00 for funding the Ogallala Urban Forestry Program July 1, 2010 through June 30, 2011. Mr. Meismer seconded the motion. The motion carried. (Motion #13)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren,
Weaver, Wiseman

Nay: None

Absent: Stack, Storer

Urban Forestry Program - Applications for Community Programs - Mr. Schilz reported that there were no new applications for community programs.

Urban Forestry Program - Communities Considering Programs - Mr. Schilz reported that no

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

other communities within the TPNRD are considering a program at this time.

Wildlife Habitat Programs - WILD Nebraska Program - Interlocal Agreement – Mr. Schilz reported that in the Directors’ Board meeting packet was a draft interlocal agreement provided by the Nebraska Game and Parks Commission. Mr. Schilz reported that the previous WILD Nebraska interlocal agreement had run its 10 year course and the time had come to renew the agreement. Mr. Schilz reported that the proposed new agreement contains almost word for word the same language as the previous agreement and that essentially nothing changes with the new agreement.

Mr. Schilz reported that in the Directors’ Board meeting notebook was an addendum to the interlocal agreement that is proposed to stay the same as the previous addendum. Mr. Schilz reported that the addendum provides the list of WILD Nebraska activities eligible within the TPNRD as well as cost share limits. Mr. Schilz noted that the District’s financial contribution to WILD Nebraska projects would remain at 25%.

Mr. Schilz moved the Wildlife Habitat & Urban Affairs Subcommittee’s recommendation to the Board of Directors to approve the WILD Nebraska interlocal agreement and its addendum as presented and to authorized the General Manager to sign the Agreement for the TPNRD. Mr. Weaver seconded the motion. The motion carried. (Motion #14)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman
Nay: None
Absent: Stack, Storer

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for July 2010 was in the Directors' notebook and available as a handout.

Accounts Payable - Mr. Meismer reported that the Accounts Payable report was in the Directors' notebook and available as a handout, and that he had reviewed the Accounts Payable and found the report to be in order.

Mr. Meismer moved that the Financial Statement for July 2010 be received and placed on file for audit and to approve payment of the invoices presented on August 12, 2010 in the amount of \$59,622.68. Mr. Wiseman seconded the motion. The motion carried. (Motion #15)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman
Nay: None
Absent: Stack, Storer

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

Budget Status – No report presented.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the September 9, 2010 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented during the September 9, 2010 board meeting.

Audit for 2010 Fiscal Year – Mr. Miller reported that since 1985, the audit for the TPNRD was prepared by the accounting firm of McChesney, Martin, Sagehorn. Mr. Miller reported that they have chosen to not do governmental audits. Mr. Miller reported that requests for proposals were sent to accounting firms within the TPNRD who do governmental audits. Mr. Miller reported that in the Directors’ Board meeting packet were two proposals received.

Mr. Petersen moved to approve the low proposal received from the accounting firm of RJ Meyer & Associates to perform an audit of the financial statements of the TPNRD for the 2010 Fiscal Year which ended June 30, 2010, the 2011 Fiscal Year which ends June 30, 2011, and the 2012 Fiscal Year which ends June 30, 2012 be accepted, to authorize the General Manager to sign the proposal as the District representative, and to appoint Kent O. Miller, General Manager and Amy Mapes, Administrative Assistant, as the individuals to be responsible and accountable for overseeing the services. Mr. Margritz seconded the motion. The motion carried. (Motion #16)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren,
Weaver, Wiseman
Nay: None
Absent: Stack, Storer

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meeting – No report presented.

Nebraska Association of Resources Districts (NARD) – Employees Retirement Plan – Mr. Miller reported that in the Directors’ Board meeting packet was Amendment Number One of the NARD 414 (H) Retirement Plan, an NARD Board Resolution, and a draft TPNRD Resolution.

Mr. Meismer moved to approve the following resolution:

RESOLVED, that the TPNRD Office, as a Participating Employer in the Plan, hereby consents to the adoption of Amendment Number One of the Nebraska Association of Resources Districts 414(h) Plan (the “Amendment Number One”) to bring the Plan into compliance with the Pension Protection Act of 2006, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved;

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

RESOLVED FURTHER, that the officers and management of the District office be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolution including, but not limited to, execution of the restated Plan and the Consent to the Amendment Number One, notification of employees and participants of the Plan, and preparation and distribution of explanatory booklets and materials as necessary; and

RESOLVED FURTHER, that any and all actions taken and documentation executed by management or the officers of the District Office to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

and to authorize the General Manager to sign the resolution for the TPNRD. Mr. Margritz seconded the motion. The motion carried. (Motion #17)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

Nay: None

Absent: Stack, Storer

NARD – Annual Conference, September 27-28, 2010, Kearney - Schedule – Mr. Meismer reported that the NARD annual conference would be held September 27-28, 2010 in Kearney. Mr. Meismer, Mr. Petersen, Mr. Rubenthaler, Mrs. Dimmitt, and Mr. Miller plan to attend.

NARD – Annual Conference, September 27-28, 2010, Kearney – Voting Delegate – Mr. Miller reported that the Board needed to take action to select a voting delegate for the conference. Mr. Miller reported that Mr. Meismer would be chairing the Business Session during the conference when the votes are taken which makes it difficult for Mr. Meismer to be a voting delegate.

Mr. Rubenthaler appointed Mr. Petersen the voting delegate and himself the alternate voting delegate for the Nebraska Association of Resources Districts 2010 Annual Conference.

Sandhills Resources, Conservation & Development Council – No report presented.

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook was a report and \$70,189.08 was available for funding contracts.

Mr. Petersen moved to approve the August 12, 2010 report and to approve the following new contracts:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt to Fund</u>
11.001	NC-14	Planned Grazing System	\$ 4,121.91	\$ 4,121.91
11.002	NC-14	Planned Grazing System	\$ 7,499.35	\$ 7,499.35

TWIN PLATTE NATURAL RESOURCES DISTRICT
 Board of Directors Meeting Minutes – August 12, 2010

11.003	NC-14	Planned Grazing System	\$ 2,021.50	<u>\$ 2,021.50</u>
		Total Amount of New Contracts		\$ 13,642.76

FUNDS AVAILABLE:	Practice NC-12, Windbreaks	\$ 21,056.72
	Practice NC-14, Planned Grazing	\$ 7,413.96
	Practice NC-17, Irrigation	\$ 21,056.72
	Other available practices	\$ 7,018.92

Mr. Wiseman seconded the motion. The motion carried. (Motion #18)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren,
 Weaver, Wiseman
 Nay: None
 Absent: Stack, Storer

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board notebook was a report and \$8,159.52 was available for new contracts.

Tree Programs – No report presented.

Range Programs – No report presented.

Water Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

Regulatory Programs – No report presented.

Information & Education Programs – No report presented.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.

Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – None presented.

Meetings and Dates of Interest – Mr. Miller reported that various items of information were in the Directors' packet.

Miscellaneous Information – Mr. Miller reported that various items of information were in the Directors packet and in the Directors' notebook.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 12, 2010

BUDGET FOR 2011 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that in the Director’s packet was a schedule for preparing the 2011 Fiscal Year Budget for the District. Mr. Miller reported that the schedule provides for Board review of the first draft of the Budget during the June Board meeting and provides the Board four opportunities to review and discuss the Budget prior to final approval.

Review Draft #3 – Mr. Miller reported that in the Director’s notebook and available as a handout was the third draft of a budget for the 2011 Fiscal Year. Mr. Miller reviewed the information for the proposed budget for the 2011 Fiscal Year.

Approval for Public Hearings and Set Public Hearings Dates, Times and Location

Mr. Meismer moved to approve for Public Hearings a 2010-2011 Fiscal Year Budget for the Twin Platte Natural Resources District as proposed in Draft #3 with a property tax requirement of \$2,713,912.00 and a total requirement of \$5,019,846.63, and to set the Public Hearings for the 2010-2011 Fiscal Year Budget for September 9, 2010 to be held at 3:30 p.m. CDT (2:30 p.m. MDT) in Room 200 at the WW Wood Building on the North Campus of North Platte Community College, 1101 Halligan Drive, North Platte, Nebraska for the Board of Directors to hear and consider public comments prior to action for approval of a 2010-2011 Fiscal Year Budget and for setting the final property tax request for the Twin Platte Natural Resources District for the 2010-2011 Fiscal Year. Mr. Wiseman seconded the motion. The motion carried. (Motion #19)

Aye: Hansen, Margritz, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren,
Weaver, Wiseman
Nay: None
Absent: Stack, Storer

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Rubenthaler reported that the next Board of Directors meeting would be held on Thursday, September 9, 2010 at 3:00 pm CDT (2:00 pm MDT) at W.W. Wood Building on the North Campus of the North Platte Community College, 1101 Halligan Drive, North Platte, Nebraska.

ADJOURNMENT

The meeting adjourned at 9:04 pm CDT (8:04 pm MDT).

Jerry Weaver, Secretary