

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
January 9, 2003

The Twin Platte Natural Resources District Board of Directors meeting was held at the United Nebraska Bank Center Meeting Room, Second Floor, West Wing, 111 South Dewey Street, North Platte, Nebraska on January 9, 2003. Mr. Rubenthaler called the meeting to order at 3:05 p.m. CST (2:05 p.m. MST). 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  
Todd Kramer  
James Meisner  
Robert Petersen  
Jim Rubenthaler  
Joe Wahlgren  
Jerry Weaver  
Robert Wiseman

BOARD MEMBERS ABSENT

Jeff Baldrige  
Dennis Schilz  
Douglas Stack

OTHERS PRESENT

Phillip Armstrong – Western Irrigation District  
Mike Wheeler – Sargent Irrigation

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist  
Jay Rezek, Engineer

STAFF PRESENT

Glen Bowers, Water Programs Coordinator  
Amy Mapes, Administrative Assistant  
Kent O Miller, General Manager  
Dave Slattery, Conservation Programs Coordinator

DIRECTORS ELECTED TO BOARD

Mr. Rubenthaler reported that the following were elected to the Board of Directors for a four-year term:

Subdistrict 1	Eric S. Hansen
Subdistrict 2	Joe Wahlgren
Subdistrict 3	Douglas L. Stack
Subdistrict 4	Jeff L. Baldrige
Subdistrict 5	James Meisner

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

At Large                      Jim Rubenthaler

Mr. Rubenthaler reported that each of the individuals elected were incumbents and each has previously signed an Oath Of Office.

ANNOUNCEMENTS

Report of Directors Excused – Mr. Rubenthaler reported that Mr. Schilz was excused.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr. Rubenthaler reported that each Director has a notebook containing information items that are available for handouts for others attending the meeting.

Other Items - Mr. Rubenthaler reported that notebooks containing the USDA Natural Resources Conservation Service Conservation Plans signed by the General Manager as the Twin Platte Natural Resources District representative were available for information and that the notebooks would be passed around the Board table for review by each member of the Board of Directors present. Mr. Rubenthaler reported that a notebook containing the Cooperative Agreements between the Nebraska Board of Education Lands and Funds and Lessees that were signed by the General Manager as the Twin Platte Natural Resources District representative for the District to assist in the development and the application of a complete resources conservation plan was available for information and that the notebook would be passed around the Board table for review by each member of the Board of Directors present.

PUBLIC FORUM

The Public Forum of the meeting was opened. There were no comments, and the Public Forum was closed.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for December 10, 2002 Meeting - Mr. Rubenthaler reported that the Minutes for the December 10, 2002 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

Mr. Petersen moved that the Minutes of the December 10, 2002 Board of Directors meeting be approved. Mr. Kramer seconded the motion, and it carried. (Motion #1)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver,  
Wiseman  
NAY: None  
ABSENT: Baldrige, Schilz, Stack

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service – Mrs. Reece distributed and reviewed a written report.

Nebraska Natural Resources Commission – South Platte River Basin Caucus – Mr. Miller reported that the current Nebraska Department of Natural Resources was the result of a merger between the agencies named Natural Resources Commission and the Department of Water Resources. Mr. Miller reported that with this merger the Natural Resources Commission is still a functioning body within the Department of Natural Resources. Mr. Miller reported that three of the 16 members are appointed by the Governor to represent the specific interests of municipal water users, surface water irrigators, and ground water irrigators and the remaining thirteen members are selected for four-year terms at caucuses of the Natural Resources Districts directors to represent Nebraska's river basins. Mr. Miller reported that the Natural Resources Commission members are selected by River Basins by the seated Natural Resources District Directors within the River Basin. Mr. Miller reported that the Twin Platte Natural Resources District is within the South Platte, North Platte and Middle Platte basins and that the Natural Resources Commission's South Platte Basin representative's term expires in January 2003. Mr. Miller reported that the Twin Platte Natural Resources District Directors residing in the South Platte River Basin (Mr. Petersen, Mr. Schilz, Mr. Stack, Mr. Weaver and Mr. Wiseman) are eligible to participate in the South Platte Basin Caucus, which has been scheduled to be held on January 14, 2003 in Sidney, NE to select a representative for the Natural Resources Commission for a 4 year term. Mr. Miller reported that the current representative for the South Platte Basin is Bob Hahn and Mr. Hahn is seeking re-election. Mr. Miller reported that Mr. Hahn resides in the South Platte Natural Resources District and is a former member of the South Platte Natural Resources District Board of Directors. Mr. Miller reported that candidates eligible are any resident in the South Platte Basin of majority age of 19. Mr. Miller reported that following the December 10, 2002 Board meeting, that per the direction of the Board, that he had notified the Nebraska Department of Natural Resources, Rod Horn, General Manager South Platte Natural Resources District and Mr. Hahn that the Twin Platte Natural Resources District appreciated the past service of Mr. Hahn and supported his desire for re-election.

Other Agencies - No report presented.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

DISTRICT REPORT

Water Programs – Irrigation Districts – Western Irrigation District – Mr. Miller reported that during the August 8, 2002 Board meeting, it was reported that the USDA Natural Resources Conservation Service has an Emergency Watershed Protection (EWP) program that may be able to provide cost-share assistance for the Western Irrigation District for repair of damages from the July 6, 2002 storm. Mr. Miller reported that the program requires a local sponsor and the local sponsor is required to contribute a 25% local share of the project costs in cash or in-kind services provided by the sponsor or it's partners. Mr. Miller reported that the Board of Directors took action that if requested by the Western Irrigation District, the Twin Platte Natural Resources District Board of Directors approves the District submitting a letter to the USDA-NRCS requesting federal assistance for repair of damages of Western Irrigation District facilities, the District entering into an agreement with the USDA-NRCS for assistance available in the Emergency Watershed Protection program, to authorize the District contributing the required 25% local share of the project costs with in-kind services provided by the District or it's partners and to authorize the General Manager to submit the letter and sign the agreement as the District representative.

Mr. Miller reported that during the September 12, 2002 Board meeting, it was reported that the Western Irrigation District requested that the Twin Platte Natural Resources District submit a letter to the USDA-NRCS requesting federal assistance for repair of damages of Western Irrigation District facilities due to the July 6, 2002 storm.

Mr. Miller reported that on September 24, 2002, the Twin Platte Natural Resources District entered into a Cooperative Agreement with the USDA-NRCS for federal assistance for repair of damages and the agreement includes up to \$55,100.00 in financial assistance.

Mr. Miller reported that the USDA-NRCS has completed the design for the “Western Irrigation Canal EWP Project” and the Twin Platte Natural Resources District sought proposals for the work. Mr. Miller reported that the deadline advertised for receiving proposals was Monday, January 6<sup>th</sup> at 5:00 pm CST and that the deadline was extended to Tuesday, January 7<sup>th</sup> at 5:00 pm CST.

Mr. Miller reported that in the Directors' notebook and available as a handout was a Summary of Proposals Received and Total Project Costs, the Engineers Cost Estimate and copy of the four proposals received.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

Mr. Meismer moved that for the Western Irrigation District Emergency Watershed Protection Project:

- To select the low proposal of \$32,854.00 from Korty Land and Improvement, LLC for the work to be done
- To require Korty Land and Improvement, LLC, to deposit with the Twin Platte Natural Resources District a performance bond in the amount of the Engineers estimate, which was \$74,000.00 with the premium cost paid by the Twin Platte Natural Resources District
- To authorize the General Manager to execute a legal contract with Korty Land and Improvement, LLC, utilizing the Twin Platte Natural Resources District legal counsel, and to sign the contract as the Twin Platte Natural Resources District representative
- To authorize payment in one lump sum of \$32,854.00 plus the premium cost for the required performance bond upon total completion and final inspection of the work in accordance with the contract document
- To authorize the Twin Platte Natural Resources District contributing the required 25% local share of the project costs as follows:
  - Maximize in-kind services provided by the Twin Platte Natural Resources District and the Western Irrigation District
  - Any cash that may be required, the Twin Platte Natural Resources District will provide 50% and the Western Irrigation District will provide 50%

Mr. Wahlgren seconded the motion, and it carried. (Motion #2)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver, Wiseman

NAY: None

ABSENT: Baldrige, Schilz, Stack

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Executive Subcommittee

No report presented.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for December 2002 was in the Directors' notebook and available as a handout for information.

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 December 2002 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on January 9, 2003 in the amount of \$20,694.42. Mr. Petersen seconded the motion, and it carried. (Motion #3)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver,  
Wiseman

NAY: None

ABSENT: Baldrige, Schilz, Stack

Budget Status – Mr. Meismer reported that the Budget Status report was in the Directors' notebook and available as a handout.

Bids/Proposals – None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the February 13, 2003 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the February 13, 2003 Board of Directors meeting.

DIRECTORS' REPORTS

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

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meismer reported on recent activities of the Water Policy Task Force.

Nebraska Association of Resources Districts – Legislative Conference – Mr. Meismer reported that the Nebraska Association of Resources Districts annual Legislative Conference would be held January 28-29, 2003 in Lincoln, Nebraska and that in the Directors' packet for information was a tentative agenda and listing of legislative issues. Mr. Miller reported that Mr. Meismer is chair of the Nebraska Association of Resources Districts Legislative Committee and that he will be chairing the business sessions. Mr. Miller reported that the Board would need to select a voting representative for the business session.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

Mr. Weaver moved that the Twin Platte Natural Resources District Voting Delegate for the Nebraska Association of Resources Districts Legislative Conference January 28-29, 2003 be Joe Wahlgren. Mr. Meismer seconded the motion, and it carried. (Motion #4)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Weaver, Wiseman

NAY: None

ABSTAIN: Wahlgren

ABSENT: Baldrige, Schilz, Stack

Nebraska Association of Resources Districts – Washington D.C. Meetings – Mr. Meismer reported that the Nebraska Association of Resources Districts annual Washington DC meetings would be held March 15-19, 2003. Mr. Miller asked if any Director desire to participate and there were none.

Central Nebraska Public Power & Irrigation District Water Conservation Task Force - No report presented.

Platte River Citizens Advisory Council – No report presented.

Sandhills Resources, Conservation & Development Council - Mr. Hansen reported on recent activities of the Sandhills Resources, Conservation & Development Council. Mr. Hansen reported that the Natural Resources Districts have the option to name an alternate representative for the Sandhills Resources, Conservation & Development Council.

Mr. Hansen moved that Todd Kramer be the Twin Platte Natural Resources District's alternate representative for the Sandhills Resources, Conservation & Development Council. Mr. Petersen seconded the motion, and it carried. (Motion #5)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver, Wiseman

NAY: None

ABSTAIN: Kramer

ABSENT: Baldrige, Schilz, Stack

Requests for Authorization to Travel - No requests were presented.

DISTRICT REPORT (Continued)

Requests for Assistance – No requests for assistance were presented.

Cost-Share Programs - Nebraska Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook and available as a handout was the monthly report. Mr. Miller reported that \$22,200.78 was available.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
 Board of Directors Meeting Minutes – January 9, 2003

Mr. Petersen moved to approve the December 2002 report as presented 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>
PROPOSED NEW CONTRACTS:				
03-045	NC-1	Terraces	\$ 800.00	\$ 800.00
03-046	NC-1	Irrigation Water Management	\$ 280.00	\$ 280.00
03-047	NC-12	Trees	\$ 681.62	\$ 681.62
03-048	NC-12	Trees	\$ 357.14	\$ 357.14
03-049	NC-12	Trees	\$ 49.50	\$ 49.50
03-050	NC-12	Trees	\$ 779.00	\$ 779.00
03-051	NC-12	Trees	\$ 779.00	\$ 779.00
03-052	NC-12	Trees	\$ 371.00	\$ 371.00
03-053	NC-12	Trees	\$ 99.00	\$ 99.00
Total Amount Of New Contracts				\$ 4,196.26
FUNDS AVAILABLE: Practice NC-12, Windbreaks				\$ 12,402.10
Practice NC-14, Planned Grazing				\$ 955.74
Practice NC-17, Irrigation				\$ 834.02
Other available practices				\$ 3,812.66

Mr. Kramer seconded the motion, and it carried. (Motion #6)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver, Wiseman

NAY: None

ABSENT: Baldrige, Schilz, Stack

Cost-Share Programs - District Conservation Program – Sealing Abandoned Wells – No report presented.

Cost-Share Programs – NE Buffer Strip Program - No report presented.

Tree Program – Mr. Slattery reported that the NRCS is required to notify producers who are receiving cost-share for tree planting, of other vendors that may be available to sell and plant trees and that there are some private contractors in eastern Colorado who provide the sale and planting of trees that have indicated they might be available for work in Keith County. Mr. Slattery reported that a producer in Keith County asked if the Twin Platte Natural Resources District would sell him trees for which he was going to hire a private contractor to plant the trees. Mr. Slattery reported that the Halsey nursery and the Colorado State nursery have sold out of Red Cedar and Juniper trees. Mr. Slattery reported that the staff, following discussion with the NRCS District Conservationist, Mary Reece, established the following guidelines:

- First priority of trees that the Twin Platte Natural Resources District has purchased from the Halsey nursery and the Colorado State nursery will be for trees purchased that will be planted by the District’s tree crews and for trees requested to be purchased by individuals that will be utilized for re-planting by hand of trees in sites previously planted.



TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

- A date will be established each year that will allow the District staff to develop tree plans prior to that date for all individuals who have indicated a desire for the District's tree crews to plant trees.
- Individuals requesting to buy trees from the Twin Platte Natural Resources District for which a private contractor will be planting the trees will be notified of the date set and trees available after that date will be sold to individuals in the order in which the request was made.

Mr. Miller reported that the Land Resources Subcommittee would be requested to review these guidelines in July and to develop a recommendation for a policy if needed.

Range Programs – Mr. Miller reported that on January 23, 2003, the District is coordinating a livestock producer's workshop that will be held in Ringgold, NE. Mr. Miller reported that in the Directors' notebook and available as a handout was information about the workshop.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs - No report presented.

Water Programs – Ground Water Program – District Programs – Mr. Bowers reported on the ground water levels monitoring program and he reported that in the Directors' notebook and available as a handout were graphs for one of the wells monitored in each of the counties within the Twin Platte Natural Resources District. Mr. Bowers reported that the graphs and a report would be included in the District's newsletter that will go out in early February.

Water Programs – Ground Water Program – 319 Project – Mr. Miller reported that in the Directors' packet for information was the Quarterly Report.

Water Programs – Ground Water Program – Ground Water Coalition – No report presented.

Water Programs – Ground Water Program – Transfers – Mr. Miller reported that a Colorado Company is seeking to pump ground water in Grant County and ship the water by railroad to Colorado. Mr. Miller reported that in the Directors' packet for information were news articles. Mr. Miller reported that Legislation may be introduced in the Nebraska Legislature this month to place restrictions and/or fees on transferring ground water out of Nebraska to another state. During discussion, the Board members agreed they would not support proposals imposing a fee for transfers of ground water, as Nebraska would be demonstrating that it is willing to sell its ground water.

Water Programs – Watershed Program – No report presented.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

Water Programs – Platte River Activities - Cooperative Agreement – Mr. Miller reported on the status of the Cooperative Agreement.

Mr. Miller reported that in the Directors’ packet for information was a paper titled “Platte River Cooperative Agreement and What It Means to the State of Nebraska” and a Nebraska Resources article titled “National Academy of Sciences” prepared by Jim Cook, Nebraska Department of Natural Resources.

Mr. Miller reported that he attends meetings of the Governance Committee and the Water Management Committee as his schedule allows with a priority for attending meetings of the Water Management Committee, which he is a member. Mr. Miller reported that he is participating in meetings in Nebraska about the issues within Nebraska.

Mr. Miller reported that a Natural Resources Districts Platte River Basin Meeting in regard to the Cooperative Agreement would be held in February in North Platte. Mr. Miller reported that the Twin Platte Natural Resources District representatives selected to participate in these Basin Meetings for discussions of the Cooperative Agreement are Mr. Meismer, Mr. Rubenthaler, Mr. Schilz, Mr. Wahlgren and Mr. Miller.

Water Programs – Platte River Activities - Cooperative Hydrology Study – Mr. Miller reported on the status of the Cooperative Hydrology Study. Mr. Miller reported that he participates in the meetings of the sponsors as the representative for the District.

Water Programs – Platte River Activities – Nebraska Habitat Conservation Coalition – No report presented.

Water Programs – Platte River Activities – Economic Coalition – No report presented.

Water Programs – Platte River Activities – North Platte River – Mr. Miller reported that in the Directors’ packet for information was a Nebraska Resources article titled “Update and Progress Report of the North Platte Decree Committee” prepared by Jennifer Schellpeper, Nebraska Department of Natural Resources.

Water Programs – Platte River Activities – South Platte River – Mr. Miller reported on meetings and discussions in regard to the South Platte River Compact. Mr. Miller reported that in the Directors’ packet for information was a Rocky Mountain News article titled “Court Tells Farmers to Shut Off Spigots”.

Regulatory Programs – No report presented.

Information & Education Programs – 2002 Awards Program – Mr. Miller reported that the District’s 2002 Conservation Award for Keith/Arthur Counties was presented to the Grapes Farms (Ron Grapes and Todd Grapes) during the District’s Awards Banquet on December 10, 2002 and that in the Directors’ packet for information was a news article from the December 11, 2002 Keith County News.

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

Requests for Authorization to Travel – No requests were presented.

Legislation – Mr. Miller reported that in the Directors’ packet for information was the tentative 2003 Legislative calendar.

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

Mr. Miller requested that the June Board meeting be held on June 5<sup>th</sup> rather than June 12<sup>th</sup>. The Board agreed to hold the June Board meeting on June 5, 2003.

Miscellaneous Information – Mr. Miller reported that various items of information were in the Directors' packet and in the Directors' notebook and available as a handout. Mr. Miller reported that in the Directors’ notebook and available as a handout was information in regard to the Republican River settlement.

ELECTION OF OFFICERS

Mr. Rubenthaler asked Mr. Miller to Chair the meeting for the election of Chairperson.

Chairperson - Mr. Miller asked for nominations. Mr. Rubenthaler was nominated. No other nominations were made.

Mr. Petersen moved that nominations cease and that a unanimous ballot be cast for Mr. Rubenthaler for Chairperson. Mr. Kramer seconded the motion, and it carried. (Motion #7)

AYE: Hansen, Kramer, Meismer, Petersen, Wahlgren, Weaver, Wiseman  
NAY: None  
ABSTAIN: Rubenthaler  
ABSENT: Baldrige, Schilz, Stack

Mr. Rubenthaler resumed chairing the meeting.

Vice-Chairperson, Secretary and Treasurer – The Board agreed that they would like to consider a motion to elect the current Vice-Chairperson, Secretary and Treasurer.

Mr. Kramer moved to elect Mr. Stack Vice-Chairperson, Mr. Weaver Secretary and Mr. Meismer Treasurer. Mr. Wiseman seconded the motion, and it carried. (Motion #8)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver, Wiseman  
NAY: None  
ABSENT: Baldrige, Schilz, Stack

SELECTION OF NEBRASKA ASSOCIATION

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – January 9, 2003

OF RESOURCES DISTRICT REPRESENTATIVE

Mr. Wahlgren moved that for the Nebraska Association of Resources Districts Board of Directors the Twin Platte Natural Resources District 2003 representative be Mr. Meismer. Mr. Petersen seconded the motion, and it carried. (Motion #9)

AYE: Hansen, Kramer, Petersen, Rubenthaler, Wahlgren, Weaver, Wiseman  
NAY: None  
ABSTAIN: Meismer  
ABSENT: Baldrige, Schilz, Stack

SUBCOMMITTEE APPOINTMENTS

Chairperson's Report – Mr. Rubenthaler announced the following appointments for the Subcommittees for 2003:

Water Resources Subcommittee

Jim Meismer - Chairperson  
Robert Petersen  
Jim Rubenthaler  
Dennis Schilz  
Joe Wahlgren

Land Resources Subcommittee

Jeff Baldrige - Chairperson  
Eric Hansen  
Todd Kramer

Wildlife Habitat & Urban Affairs Subcommittee

Jerry Weaver - Chairperson  
Douglas Stack  
Robert Wiseman

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 5:29 p.m. CST (4:29 p.m. MST).

---

Jerry Weaver, Secretary

KOM:Minutes:Bmin0103