

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
November 13, 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 November 13, 2003. Mr. Rubenthaler called the meeting to order at 3:04 p.m. CST (2:04 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

Jeff Baldridge
James Meisner
Robert Petersen
Jim Rubenthaler
Dennis Schilz
Douglas Stack
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Eric Hansen
Todd Kramer

OTHERS PRESENT

Glen Waltemath, McChesney Martin Sagehorn PC
Roger Patterson, Director – NE Department of Natural Resources
Mike Kelly
Skip Marland
J.L. Vanarsdall
Rick Bodenhamer
Kirk Olson
Andy Olson
Bob Arnett
Bruce Dodson, Agri Affiliates
Mike Wheeler, Sargent Irrigation
Stan Loeffler, Sargent Irrigation
Brad Johnson, Sargent Irrigation
Tom Downey, Sargent Irrigation
Glen Taubenheim, Sargent Irrigation
John Simmons
Don Colvin
David Steffes
Jeff Orr
Peggy Orr

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NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist
Jeff Nichols, Range Management Specialist

STAFF PRESENT

Glen Bowers, Water Programs Coordinator
Bill Carhart, Range Programs Coordinator
Ann Dimmitt, Water Programs Technician
Amy Mapes, Administrative Assistant
Kent O Miller, General Manager
Dave Slattery, Conservation Programs Coordinator

ANNOUNCEMENTS

Report of Directors Excused - Mr. Rubenthaler reported that there were no Directors 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.

PUBLIC FORUM

The Public Forum of the meeting was opened.

Comments were presented to the Board of Directors in regard to the District's proposed temporary suspension of drilling new wells.

The Public Forum of the meeting was closed.

AGENDA MODIFICATION

None presented.

AUDIT

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2003 Fiscal Year – Mr. Meismer reported that the audit for the District for the 2003 Fiscal Year was mailed to each member of the Board of Directors prior to the Board meeting.

Mr. Peterson moved that the Audit for the 2003 Fiscal Year be received. Mr. Stack seconded the motion, and it carried. (Motion #1)

AYE: Baldridge, Meismer, Petersen, Rubenthaler, Schilz, Stack, Wahlgren,
Weaver, Wiseman

NAY: None

ABSENT: Hansen, Kramer

Glen Waltemath prepared the audit for the District and he was present and available for questions.

Mr. Stack moved that the Audit for the 2003 Fiscal Year be allowed and to approve the Financial Statements for the 2003 Fiscal Year as acceptable and settled. Mr. Weaver seconded the motion, and it carried. (Motion #2)

AYE: Baldridge, Meismer, Petersen, Rubenthaler, Schilz, Stack, Wahlgren,
Weaver, Wiseman

NAY: None

ABSENT: Hansen, Kramer

GENERAL INFORMATION

Platte River Cooperative Agreement - Roger Patterson, Director, Nebraska Department of Natural Resources, reported on the status of the Cooperative Agreement.

Water Policy Task Force - Roger Patterson, Director, Nebraska Department of Natural Resources, reported on the status of the Water Policy Task Force.

Integrated Management of Ground Water & Surface Water - Roger Patterson, Director, Nebraska Department of Natural Resources presented information and recommended that the Twin Platte Natural Resources District initiate a temporary suspension of the drilling of new wells within the Stream Depletion Factor (SDF) area of the North Platte, South Platte and Platte Rivers. Mr. Patterson reported that the SDF area in the Twin Platte Natural Resources District is an area approximately six to eight miles either side of the North Platte, South Platte and Platte Rivers within which 28% of the consumption of a well would impact the river within 40 years. Mr. Patterson reported that he had previously made a similar presentation and recommendation to the Central Platte Natural Resources District. Mr. Patterson that he plans to make a similar presentation and recommendation to the Tri-Basin Natural Resources District. Mr. Patterson responded to questions from the Board of Directors and from the public attending the Board meeting.

BOARD OF DIRECTORS MEETINGS

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Minutes for October 9, 2003 Meeting - Mr. Rubenthaler reported that the Minutes for the October 9, 2003 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

Mr. Peterson moved that the Minutes of the October 9, 2003 Board of Directors meeting be approved. Mr. Wahlgren seconded the motion, and it carried. (Motion #3)

AYE: Baldridge, Meisner, Petersen, Rubenthaler, Schilz, Stack, Wahlgren,
Weaver, Wiseman

NAY: None

ABSENT: Hansen, Kramer

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - District Conservationist Report – Mrs. Reece distributed a written report and she reviewed the report. Mrs. Reece reported that in the Directors' packet for information was the 2004 Business Plan for the North Platte and Ogallala Natural Resources Conservation Service offices that was prepared following consultation with the Twin Platte Natural Resources District personnel.

Nebraska Natural Resources Commission – South Platte River Basin Caucus – No report presented.

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

Mr. Meisner, Water Resources Subcommittee Chairperson, reported that the Water Resources Subcommittee met prior to the Board of Directors meeting and he presented a report.

Ground Water Programs - Integrated Management of Ground Water & Surface Water – Mr. Meisner reported that the Subcommittee reviewed the timeline the District is following in regard to determining if the District wishes to initiate the process of a joint action plan for the integrated management of hydrologically connected ground water and surface water and consideration of a temporary suspension of the drilling of new wells within the Stream Depletion Factor area of the North Platte, South Platte and Platte Rivers. Mr. Meisner reported that the Subcommittee also reviewed Draft #2 for “Rules and Regulations for a Temporary Suspension of Drilling New Wells”, a draft newsletter for mailing following the December 9, 2003 Board meeting if the Board of Directors

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chooses to proceed with public hearings in regard to the District implementing a temporary suspension of the drilling of new wells in a portion of the District, a draft of “Questions & Answers Concerning the Proposed Temporary Suspension of the Drilling of New Wells” that could be included with the newsletter and an information sheet for distribution to the public during the Board meeting.

South Platte River – Mr. Meismer reported that Mr. Schilz and Mr. Miller reported on meetings and discussions in regard to the South Platte River Compact. Mr. Meismer reported that representatives of the Central Platte Natural Resources District, the South Platte Natural Resources District, Nebraska Public Power District, Central Nebraska Public Power and Irrigation District and Mr. Miller had met recently with the Western Irrigation District Board and the there legal counsel, LeRoy Sievers, to discuss the status of legal investigations by the Nebraska Attorney Generals office and technical investigations by the Nebraska Department of Natural Resources and if additional investigations were needed. Mr. Meismer reported that the group agreed that they would like Mr. Sievers to outline options for additional legal and technical investigations and the benefits and estimated costs for each. Mr. Meismer reported that the group has agreed to meet again in December and January to continue discussions. Mr. Meismer reported that if the group decided that additional legal or technical investigations were desirable, that they would recommend that an interlocal cooperation agreement be established to fund and direct the investigations. Mr. Meismer reported that the Western Irrigation District had limited funds for paying Mr. Sievers for this initial work and that the Subcommittee is recommending that the Twin Platte Natural Resources District fund a portion of Mr. Sievers legal fees for this work. Mr. Meismer reported that if an interlocal cooperation agreement were established, that the sponsors would then fund the legal costs of Mr. Sievers.

Mr. Petersen moved the Water Resources Subcommittee recommendation to the Board of Directors that the Twin Platte Natural Resources District pay 50% of LeRoy Sievers legal fees through January 30, 2004 not to exceed \$2,500.00 from the Twin Platte Natural Resources District for Mr. Sievers to outline options for additional legal and technical investigations in regard to the South Platte River Compact and the benefits and estimated costs for each. Mr. Meismer seconded the motion, and it carried. (Motion #4)

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

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

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SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for October 2003 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 October 2003 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on November 13, 2003 in the amount of \$16,406.02. Mr. Weisman seconded the motion, and it carried. (Motion #5)

AYE: Baldridge, Meismer, Petersen, Rubenthaler, Schilz, Stack, Wahlgren,
Weaver, Wiseman

NAY: None

ABSENT: Hansen, Kramer

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 December 9, 2003 Board of Directors Meeting – Mr. Miller reported that the District Policy provides that “The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration”. Mr. Miller reported that the staff plans to present bids/proposals for consideration during the December 9, 2003 Board of Directors meeting for the purchase of a copy machine. Mr. Miller reported that the Budget provides for the purchase of a copy machine.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meeting – Mr. Meismer reported that the Nebraska Association of Resources Districts Board of Directors meeting was held November 3, 2003 and he reported on the meeting.

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meismer

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reported on recent activities of the Water Policy Task Force.

Platte River Citizens Advisory Council – No report presented.

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

Requests for Authorization to Travel - No requests were presented.

DISTRICT REPORT

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 \$58,844.65 was available.

Mr. Stack moved to approve the November 13, 2003 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:				
04-006	NC-1	Terraces	\$ 1,680.00	\$ 1,680.00
04-013	NC-14	Planned Grazing System	\$ 5,245.38	\$ 5,245.38
04-014	NC-14	Planned Grazing System	\$ 1,864.62	\$ 1,864.62
04-015	NC-14	Planned Grazing System	\$ 1,521.00	\$ 1,521.00
04-016	NC-17	Irrigation Water Management	\$ 3,087.50	\$ 3,087.50
Total Amount Of New Contracts				\$ 13,398.50
FUNDS AVAILABLE:				
Practice NC-12, Windbreaks				\$ 23,388.61
Practice NC-14, Planned Grazing				\$ 754.95
Practice NC-17, Irrigation				\$ 20,301.11
Other available practices				\$ 1,001.48

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

AYE: Baldridge, Meisner, Petersen, Rubenthaler, Schilz, Stack, Wahlgren,
Weaver, Wiseman

NAY: None

ABSENT: Hansen, Kramer

Cost-Share Programs - District Conservation Program – Sealing Abandoned Wells – Mr. Miller reported that in the Directors' notebook and available as a handout for information was a report for information. Mr. Miller reported that 7 contracts have been approved for cost-share and that \$8,139.48 was available for additional contracts.

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

Cost-Share Programs – Nebraska Association of Resources Districts Survey – Mr. Miller

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reported that in the Directors' notebook and available as a handout for information was a survey the District staff completed listing cost-share programs available in the Twin Platte Natural Resources District.

Tree Program – No report presented.

Range Programs – Mr. Miller reported that Mr. Carhart had recently received the Nebraska Society for Range Management Service Award and he passed around the Board table a picture of Mr. Carhart receiving the award during the Nebraska annual meeting.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

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

Water Programs – Ground Water Program – 319 Project – No report presented.

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

Water Programs – Watershed Program – Mr. Miller reported that in the Directors' packet for information was the District's report for the annual inspection of the Brule Watershed conducted on October 9, 2003.

Water Programs – Platte River Activities - Cooperative Agreement – No report presented.

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 – No report presented.

Water Programs – Platte River Activities – South Platte River – No report presented.

Irrigation Districts – Western Irrigation District – No report presented.

Regulatory Programs – No report presented.

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Trails – Lake Maloney – No report presented.

Information & Education Programs – 2003 Awards Program – Presentation, November 17, 2003 – Mr. Miller reported that the District’s 2003 Conservation Award for Lincoln/McPherson Counties would be presented November 17, 2003 to Larry & Phyllis Kracman during the North Platte Chamber Farmer/Rancher Appreciation Banquet. Mr. Miller reported that the Board Chairperson, Mr. Rubenthaler and the District staff would participate in the award presentation.

Information & Education Programs – 2003 Awards Program – Presentation, December 9, 2003 – Mr. Miller reported that the District’s 2003 Grassland Conservation Award for Keith/Arthur Counties would be presented December 9, 2003 to Krab, Inc (Gene Krab) during the District’s Awards Banquet. Mr. Miller reported that the Board of Directors meeting would be at 4:30 pm MST (5:30 pm CST) at the Lake McConaughy Visitors Center and the Awards Banquet would be at 6:00 pm MST (7:00 pm CST) at the Haythorn Ranch.

Legislation – No report presented.

Requests for Authorization to Travel – No requests were presented.

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.

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.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 5:33 p.m. CST (4:33 p.m. MST).

Jerry Weaver, Secretary