

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
April 8, 2004

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 April 8, 2004. Mr. Rubenthaler called the meeting to order at 7:39 p.m. CDT (6:39 p.m. 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
James Meisner
Robert Petersen
Jim Rubenthaler
Dennis Schilz
Douglas Stack
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Jeff Baldrige
Todd Kramer

OTHERS PRESENT

Don Fleecs, West Central Water Users
Andy Olson, West Central Water Users
Ken Niedan, West Central Water Users
Susan Williams, West Central Water Users (Attorney)
Doug Downs
Frank Fleecs
Kirk Olson, West Central Water Users
Richard Bode
John Brown
Ralph Holzfaster
Calvin Huebner
Leonard M. Priel, West Central Water Users
Jeff C. Orr, Platte Valley Irrigation District
Roric Paulman, West Central Water Users
Don Colvin, West Central Water Users
Marcie Colvin
Lorene Huebner
Jack Moorhead
Jack Simmons
Rick Jochum
Jim Haugland

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Herschel Beveridge
Dennis Brown, West Central Water Users
Robert Brown
Jason Bode
Ken Kennedy
Larry Kennedy
Ray Seifer
Troy Hopping
Claude Hoatson
Cole Schaffer
Dewey Schaffer
Don Andrews (Representing Amy Svoboda)
Tanya Fox, Court Reporter (for Amy Svoboda)
Mike Wheeler, Sargent Irrigation
Frank Kwapnioski, Nebraska Public Power District
Matt Lindburg, Nebraska Public Power District
Jim Goeke, UNL Conservation & Survey Division
Todd Andrews, KNOP-TV
Kristina Jorgensen, North Platte Telegraph
- Others who did not sign the attendance sheet -

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Glen Bowers, Water Programs Coordinator
Ann Dimmitt, Water Programs Technician
Amy Mapes, Administrative Assistant
Kent O. Miller, General Manager

ANNOUNCEMENTS

Report of Directors Excused - Mr. Rubenthaler reported that Mr. Baldrige and Mr. Kramer were 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

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member of the Board of Directors present.

PUBLIC FORUM

Mr. Rubenthaler opened the Public Forum of the meeting.

Mr. Rubenthaler reported that representatives of the West Central Nebraska Water Users had submitted a letter prior to the Board meeting requesting an opportunity to speak to the Board of Directors. Mr. Rubenthaler reported that a copy of the letter was in the Directors' Board meeting packet for information. Mr. Rubenthaler invited representatives of the West Central Nebraska Water Users to speak. Public comments were heard from Susan Williams, Roric Paulman, Rick Bode, and Ken Niedan in regard to the ground water wells planned at the Nebraska Public Power District Gerald Gentleman Station located south of Sutherland, Nebraska.

Mr. Rubenthaler reported that Frank Kwapnioski, Nebraska Public Power District, had requested prior to the Board meeting, an opportunity to speak to the Board of Directors. Mr. Rubenthaler invited Mr. Kwapnioski to speak. Public comments were heard from Mr. Kwapnioski in regard to the ground water wells planned at the Nebraska Public Power District Gerald Gentleman Station located south of Sutherland, Nebraska.

Mr. Rubenthaler reported that Amy Svoboda had submitted a letter prior to the Board meeting requesting an opportunity to speak to the Board of Directors. Mr. Rubenthaler distributed a copy of the letter to the Board of Directors for information. Mr. Rubenthaler invited her representative to speak. Public comments were heard from Don Andrews in regard to the land owned by Amy Svoboda south of Ogallala, Nebraska, which is within the Temporary Well Drilling Suspension, which will be effective July 1, 2004. Mr. Andrews reported that Amy Svoboda and he were requesting that the District "correct its line to correlate with the line drawn by the Study" (the 40 year, 28% line).

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

WEST CENTRAL NEBRASKA WATER USERS CONCERNS

Mr. Rubenthaler reported that representatives of the West Central Nebraska Water Users had submitted a letter prior to the Board meeting requesting that the concerns of the West Central Nebraska Water Users be placed on the agenda. Mr. Rubenthaler reported that a copy of the letter was in the Directors' Board meeting packet for information. Discussion occurred in regard to the 11 concerns listed in the letter received from the West Central

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Nebraska Water Users.

BOARD OF DIRECTORS MEETINGS

Minutes for March 11, 2004 Meeting - Mr. Rubenthaler reported that the Minutes for the March 11, 2004 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

Mr. Meismer moved that the Minutes of the March 11, 2004 Board of Directors meeting be approved. Mr. Petersen seconded the motion, and it carried. (Motion #1)

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

NAY: None

ABSENT: Baldrige, 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 distributed the “2003 Nebraska Report – Natural Resources Conservation Activities” for information.

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

Mr. Meismer, 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 - Monitoring Program – Annual Reports - Levels – Mr. Meismer reported that the staff reported to the Subcommittee on the Ground Water Monitoring Programs. Mr. Meismer reported that in the Directors’ notebook and available as a handout was a map of Nebraska titled “Ground Water – Level Changes in Nebraska – Predevelopment to Spring 2003” and a map of Nebraska titled “Ground Water – Level Changes in Nebraska – Spring 2002 to Spring 2003” and he reviewed the maps. Mr. Meismer reported that in the Directors’ notebook and available as a handout were preliminary updated Appendix B-1 and B-1A for the “Central High Tableland – Major Land Resources Area – Spring Ground Water Levels” of the District’s Ground Water Management Plan, preliminary updated Appendix B-3, B-4, B-3A, and B-4A for

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the “Nebraska Sandhills – Major Land Resources Area – Spring Ground Water Levels” of the District’s Ground Water Management Plan, preliminary updated Appendix B-6 and B-6A for the “Rolling Plains and Breaks – Major Land Resources Area – Spring Ground Water Levels” of the District’s Ground Water Management Plan, and preliminary updated Appendix B-7 and B-7A for the “Central Nebraska Loess Hills – Major Land Resources Area – Spring Ground Water Levels” of the District’s Ground Water Management Plan. Mr. Meismer reported that the preliminary updated appendixes included this springs water levels and he reviewed the appendixes. Mr. Meismer reported that this would be an agenda item for a future meeting of the Subcommittee.

Ground Water Programs - Monitoring Program – Annual Reports – Nitrates – Mr. Meismer reported that this would be an agenda item for a future meeting of the Subcommittee.

Ground Water Programs - Monitoring Program – Bacteria – Mr. Bowers reported on the equipment available and the new program for monitoring bacteria in the ground water.

Rainfall Network - Mr. Bowers reported on the status of developing a rainfall network throughout the Platte River Basin in western Nebraska.

Well Census Program - Mr. Bowers reported on the status of the Well Census Program.

Ground Water Programs - Management – Target Areas – Mr. Meismer reported that in the Directors’ notebook and available as a handout was a preliminary updated map of the Twin Platte Natural Resources District’s Ground Water Levels Target Areas and he reviewed the map. Mr. Meismer reported that this would be an agenda item for a future meeting of the Subcommittee.

Ground Water Programs - Management – Management Areas – Mr. Meismer reported that this would be an agenda item for a future meeting of the Subcommittee.

Ground Water Programs - Management Plan – Mr. Meismer reported that the staff would have draft revisions for the Ground Water Management Plan for a future meeting of the Subcommittee that could allow the District to require permits for drilling new wells outside of the temporary suspension area.

Integrated Management of Ground Water & Surface Water - Mr. Miller distributed for information the District’s Spring 2004 Newsletter.

Integrated Management of Ground Water & Surface Water - Temporary Well Drilling Suspension – Rules and Regulations – Mr. Meismer reported that the Central Platte Natural Resources District revised their Rules and Regulations for their Temporary Suspension – Drilling of New Wells on March 25, 2004 and that the Subcommittee reviewed their revised Rules and Regulations. Mr. Meismer reported that the Subcommittee reviewed Draft Revisions #1 – Twin Platte Natural Resources District

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Rules and Regulations, Temporary Suspension – Drilling of New Wells that are similar to the revisions enacted by the Central Platte Natural Resources District on March 25, 2004. Mr. Meisner reported that in the Directors notebook were the Draft Revisions #1 with additional revisions recommended by Jim Cook – Legal Counsel – Nebraska Department of Natural Resources. Mr. Meisner reported that the draft revisions for the Twin Platte Natural Resources District Rules and Regulations would require a public hearing. Mr. Meisner reported that the Subcommittee believes that the proposed revisions for the Rules and Regulations make them clearer and that wherever possible, it is beneficial when the Twin Platte Natural Resources District and the Central Platte Natural Resources District Rules and Regulations can be similar. Mr. Meisner reported that during discussion, the Subcommittee members had several different definitions of what constitutes "when surface water supply is not available" in Rule 2.5.3(1) of the Draft Revisions #1 – Twin Platte Natural Resources District Rules and Regulations, Temporary Suspension – Drilling of New Wells and they agreed that the District needed to develop guidelines. Mr. Meisner reported that the Subcommittee members discussed that the intent should be to allow the use of such wells only if the ditch company cannot supply water to the user when it would normally be his turn in the rotation or when he would normally have water available and not just anytime he isn't getting surface water. Mr. Meisner reported that the Subcommittee members agreed that the staff should draft guidelines for consideration by the Subcommittee during a future meeting of the Subcommittee.

Mr. Meisner reported that the boundaries for the Twin Platte Natural Resources District area for a temporary suspension were based on the 40 year, 28% line across the District. Mr. Meisner reported that the area presented for public hearing included a full section of land if any part of the section was within the line. Mr. Meisner reported that the area for the temporary suspension in the Central Platte Natural Resources District included a full section of land if over half of the section was within the line and if less than half of the section of land was within the line, the full section was not included. Mr. Meisner reported that Mr. Miller had discussed this with Jim Cook – Legal Counsel – Nebraska Department of Natural Resources and Mr. Cook said that the area selected by the Twin Platte Natural Resources District was okay as the 40 year, 28% line was used only as a guideline and that the District could choose any area within the basin. Mr. Meisner reported that Mr. Miller was concerned that the Twin Platte Natural Resources District included more land than the Central Platte Natural Resources District who utilized the same 40 year, 28% line and that he was concerned that determining if half of a section is in or out was subjective. Mr. Meisner reported that the staff looked at the possibility of using the actual line, as the District has the actual line in a digitized format from the Nebraska Department of Natural Resources and it is possible to enlarge a section and fairly precisely look at the line. Mr. Meisner reported that for administrative purposes, it would still be easier if the area were based on full sections of land. Mr. Meisner reported that in the Director's notebook were maps of the Twin Platte Natural Resources District showing the area of the temporary suspension approved by the Board which is based on the 40 year, 28% line across the District and includes a full section of land if any part of the section was within the 40 year, 28% line, the area if a full section of land is included

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if all of the section was within the 40 year, 28% line, and the area if a full section of land is included if more than half of a section was within the 40 year, 28% line. Mr. Meisner reported that in the Director's notebook was a map that Mr. Wiseman had requested of the Twin Platte Natural Resources District showing the area of the temporary suspension approved by the Board which is based on the 40 year, 28% line across the District and includes changing the southern boundary line to the southern border of the Twin Platte Natural Resources District. Mr. Meisner reported that in the Director's notebook was a map of the Twin Platte Natural Resources District showing the area if a full section of land is included if all of the section was within the 40 year, 28% line and including the Birdwood Creek basin and the Whitetail Creek basin.

Mr. Meisner reported that the Subcommittee had extensive discussion whether consideration of revisions for the rules and regulations and the boundaries of the area of the temporary well drilling suspension should occur such that they could be in place prior to July 1, 2004, the effective date for the approved temporary well drilling suspension. Mr. Meisner reported that the Subcommittee discussed alternative timelines and if they could delay a recommendation for the Board of Directors to the May 13, 2004 Board meeting to give the Board additional time to consider the issues. Mr. Meisner reported that the Subcommittee discussed that if they wanted to initiate consideration of the revision for possible implementation July 1, 2004 that for there to be time for information to be available in a District's newsletter, that the process would need to begin at the April 8, 2004 Board meeting.

Mr. Meisner moved the Water Resources Subcommittee recommendation to the Board of Directors to approve the following revisions for the "Rules and Regulations for a Temporary Suspension of Drilling New Wells" approved February 12, 2004: (Additions are underlined and deletions are lined through)

AUTHORITY

The authority for these rules is contained in Chapter 46, Reissue Revised Statutes of Nebraska, Article 6, specifically section 46-656.28 of the Nebraska Ground Water Management and Protection Act.

GENERAL PROVISIONS

In December of 2003, the Twin Platte Natural Resources District requested that the Department of Natural Resources conduct studies and hold a hearing on the preparation of a joint action plan for the integrated management of hydrologically connected ground water and surface water in the Natural Resources District.

Rule 1. AREA DESIGNATION AND BOUNDARIES

As per accompanying map entitled "Area for Suspension - Drilling New Wells" presented to the Board of Directors on ~~December 9, 2003~~ April 8, 2004.

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- *changes the southern boundary line to the southern border of the Twin Platte Natural Resources District*
- *adds the Birdwood Creek basin with the boundary lines to follow the surveyed section lines and that a full section be included if all of a section is within the Stream Depletion Factor area of the Birdwood Creek basin within which 28% of the consumption of a well will impact the creek within 40 years*
- *adds the Whitetail Creek basin with the boundary lines to follow the surveyed section lines and that a full section be included if all of a section is within the Stream Depletion Factor area of the Whitetail Creek basin within which 28% of the consumption of a well will impact the creek within 40 years*
- *changes the remainder of the northern boundary line and the boundary line between the North Platte River and the South Platte River in western Keith County to follow the surveyed section lines and that a full section be included if all of a section is within the Stream Depletion Factor area of the North Platte, South Platte, and Platte Rivers in the Twin Platte Natural Resources District within which 28% of the consumption of a well will impact the river within 40 years*

Rule 2. DEFINITIONS

- 2.12. **Ground Water:** Ground water shall mean that water which occurs in or moves, seeps, filters, or percolates through ground under the surface of the land.
- 2.25. **Well or water well:** Shall mean a water well as defined in Section 46-601.01, Revised Statutes of Nebraska.
- 2.34. **Test hole:** Shall mean a hole designed solely for the purpose of obtaining information on hydrogeologic conditions.
- 2.41. **Dewatering well:** Shall mean a water well constructed for the purpose of temporarily lowering the ground water surface elevation.
- 2.53. **Replacement well:** For the purposes of these rules and regulations, a replacement well is defined as follows:
- 2.5.1. ~~Shall mean a~~ A water well which (a) replaces a previously abandoned water well within three years of the last operation of the abandoned water well or replaces a water well that will not be used after construction of the new water well and the original water well will be decommissioned within one year of construction of the new water well; and (b) if for irrigation, is constructed to provide water only to the same tract of land served by the water well being replaced. ~~A replacement well as defined in section 46-602 is subject to the same provisions as the water well it replaces.~~
- 2.5.2. A water well that is used to supplement irrigation wells that irrigate lands already irrigated with ground water provided that the irrigated acres cannot exceed the acres currently irrigated.

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- 2.5.3. New wells that irrigate land currently irrigated with surface water on the condition that the landowner provides the following: (1) verification from the landowner that the well will only be used when surface water supply is not available; (2) verification that the landowner will maintain the surface water right; (3) verification that the irrigated acres will not exceed the acres currently irrigated; and (4) any other requirement or condition the board may request.
- 2.5.4. New wells that would irrigate lands not presently irrigated on the condition that the landowner provides the following: (1) verification that an equal number of acres are taken out of irrigated production; and (2) any other requirement or condition the board may request.
- 2.6. Good cause shown shall mean a reasonable justification for granting a variance to consumptively use water that would otherwise be prohibited by law, statute, rule, or regulation and which the district reasonably and in good faith believes will provide an economic, environmental, social, or public health and safety benefit that is equal to or greater than the benefit resulting from the prohibition from which a variance is sought.

Rule 3. TEMPORARY SUSPENSION OF THE DRILLING OF NEW WELLS

- 3.1. Effective July 1, 2004, and except as provided in Rule 3.2 and 3.3., there is a temporary suspension in the drilling of new wells. Such temporary suspension shall apply only in the area shown as the “Area for Suspension of Drilling New Wells” on the map referenced by Rule 1.
- 3.2. Wells not subject to Rule 3.1 are:
 - 3.2.1. Test holes.
 - 3.2.2. Dewatering wells with an intended use of less than ninety days.
 - 3.2.3. Water wells designed and constructed to pump fifty gallons per minute, or less; provided that, if two or more water wells have individual pumping capacities of fifty gallons per minute or less but a combined capacity of more than fifty gallons per minute and if those wells are to be clustered or joined for a single purpose or if the water therefrom is to be commingled or combined for a single purpose, those wells shall be considered as one well and shall be subject to Rule 3.1.
 - 3.2.4. Water wells approved by the Twin Platte Natural Resources District pursuant to Paragraph 3.3 ~~to be used as replacement wells as defined hereinabove at Paragraph 2.5.1. Any person wishing to construct a replacement water well within the temporary suspension area identified in Rule 3 shall first obtain the approval of the Twin Platte Natural Resources District General Manager. Such approval shall be granted upon the general manager’s determination that the proposed replacement well is consistent with the criteria in Rule 2.3 for such wells. Disputes over any such determination shall be referred to the Twin Platte Natural Resources District Board of Directors for resolution.~~

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- 3.3. All requests for a well to be considered a replacement well under the terms and conditions of Paragraphs 2.5.1., 2.5.2., 2.5.3., and 2.5.4. shall be made on forms provided by the district and such requests will be acted upon as follows:
- 3.3.1. For all replacement wells as defined in Paragraphs 2.5.1 and 2.5.2, an expedited permit may be granted by the Twin Platte Natural Resources District's Manager, or his designated representative, without the necessity of a public hearing notice, a public hearing, or prior approval of the Board of Directors.
- 3.3.2. To substantiate that a proposed well is a replacement well subject to Paragraph 2.5.1, the request must include proof that the well being replaced was or will be abandoned and properly decommissioned as provided in that Paragraph and proof that only the same tract irrigated by the well being replaced will be irrigated by the replacement well.
- 3.3.3. To substantiate that a proposed well is a supplemental replacement well subject to Paragraph 2.5.2, the request must include proof that the land to be irrigated with the supplemental well is already irrigated land and that the number of irrigated acres will not exceed the number of acres currently irrigated.
- 3.3.4. For all replacement wells as defined in Paragraphs 2.5.3 and 2.5.4, such requests shall be acted upon by the Board of Directors, following a public hearing notice and a public hearing.
- 3.4. A replacement well as herein defined or as further defined in district rules and regulations, is subject to the same provisions as any water well it replaces.
- 3.5. This temporary suspension of drilling shall remain in effect until July 1, 2007, unless rescinded by the Twin Platte Natural Resources District.
- 3.6. This temporary suspension can be extended by amendment of these rules and regulations beyond July 1, 2007, on an annual basis until July 1, 2009.

Rule 4. VARIANCES

- 4.1 The board may grant variances from the strict application of these rules and regulations if it determines that construction of a new well is necessary to alleviate an emergency situation involving the provision of water for human consumption or upon other good cause shown.
- 4.1.1. Municipal and Industrial Wells: A variance may be granted by the Twin Platte Natural Resources Board of Directors, for the purpose of approving a well permit for a municipal or industrial well. The request for a variance must show; (1) the construction of the well is necessary to alleviate emergency situations that involve providing water for human consumption; or (2) other good cause shown. The request for a variance must provide all the information requested by the District on forms provided by the District, and any other information requested by the District.
- 4.2. An expedited variance may be granted by the Twin Platte Natural Resources District's General Manager or his designated representative for the purpose of

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approving a well for:

- 4.2.1. **Contamination / Remediation.** Shall mean a water well, constructed to recovery well standards, for the purpose of withdrawal or treatment of contaminated water, or for the introduction or removal of air, water, or chemicals. The variance request shall include written approval of the state agency with supervisory responsibility for the planned project.
- 4.2.2. **Monitoring / Observation.** Shall mean a water well, constructed to the appropriate well standards, for the purpose of withdrawal of water or the observation of water levels during aquifer testing, collection of water quality samples, and providing hydrogeology information. A monitoring / observation well shall not have a permanent pump installation. The variance request shall include the planned disposition of the monitoring / observation well after its intended use is completed.
- 4.3. All requests for a variance, ~~other than those in Rule 4.2,~~ shall be made on forms provided by the district and all variances, other than those in Rule 4.2., will be acted upon by the Board of Directors, following after a public hearing notice and a public hearing before the district.

Rule 5. VIOLATIONS

These rules and regulations shall be enforced by the district through the use of cease and desist orders in accordance with district rules. In accordance with Section 46-656.10, R.S. Supp., 2003 any violation of a cease and desist order issued by the district shall be subject to a civil penalty of not less than one thousand dollars and not more than five thousand dollars for each day an intentional violation occurs.

for presentation at a public hearing and that the Twin Platte Natural Resources District conduct public hearings for proposed revisions for the Districts' "Rules and Regulations for a Temporary Suspension of Drilling New Wells" on June 3, 2004 at 1:30 pm MDT in Ogallala, NE and on June 3, 2004 at 7:30 pm CDT in North Platte, NE. Mr. Schilz seconded the motion. (Motion #2)

Extensive discussion occurred.

Mr. Wiseman moved to table Motion #2. Mr. Petersen seconded the motion and it carried. (Motion #3)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Wahlgren, Weaver, Wiseman
NAY: Schilz, Stack,
ABSENT: Baldrige, Kramer

Integrated Management of Ground Water & Surface Water - Temporary Well Drilling Suspension – Variances Procedures and Guidelines – Mr. Meismer reported that this would be an agenda item for a future meeting of the Subcommittee.

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Integrated Management of Ground Water & Surface Water - Joint Action Plan – Mr. Meisner reported that for the District to begin discussions of the timeline and activities required by Nebraska Statutes for the preparation of a joint action plan for the integrated management of hydrologically connected ground water and surface water, the Nebraska Department of Natural Resources personnel would conduct a work session with the full Board of Directors during the July 8, 2004 Board of Directors meeting. Mr. Meisner reported that the work session had initially been scheduled for the June 10, 2004 Board of Directors meeting, but that the Department’s personnel had a conflict.

Equipment - Well Census Program - Mr. Meisner reported that during the March 11, 2004 Board meeting, the staff reported, per District policy, that bids/proposals would be presented for consideration during the April 8, 2004 Board of Directors meeting for the purchase of computer equipment. Mr. Meisner reported that the staff recently found out that there would be funds available from the Well Census Program Environmental Trust Grant that could be used for equipment related to the Well Census Program. Mr. Meisner reported that the grant funds require a 50% match. Mr. Meisner reported that the staff had originally planned to purchase during this fiscal year one computer for the Administrative Assistant and to purchase during the next fiscal year two computers, a 42-inch printer (plotter), and a letter size color laser printer for the Water Programs. Mr. Meisner reported that all of this equipment can be purchased at this time with 50% paid for from the Well Census Program grant funds. Mr. Meisner reported that there is sufficient funds budgeted in office equipment to fully fund the 50% cost to the Twin Platte Natural Resources District. Mr. Meisner reported that in the Directors Notebook were a budget analysis of computer and office equipment, a summary of computer proposals received from seven vendors, the letter sent to vendors inviting computer proposals, the minimum computer specifications, a proposal received for a HP DesignJet 500 42-inch printer, a proposal received for a HP Color LaserJet 2500 printer, and a report of the current and proposed computer equipment. Mr. Meisner reported that the Subcommittee recommends that the Board accept the low proposal received from Gateway and authorize the purchase of three desktop computers. Mr. Meisner reported that the Subcommittee recommends that the 42-inch printer and the color laser printer be purchased directly from Hewlett-Packard. Mr. Meisner reported that the large format printer and the color laser printer are specialized equipment and the price quotations are the prices that HP has negotiated for this year for purchases by the western states contracting alliance, which includes the State of Nebraska. Mr. Meisner reported that these contract prices are available for all local and state governmental agencies.

Mr. Meisner moved the Water Resources Subcommittee recommendation to the Board of Directors that the Board accept the low proposal received from Gateway and authorize the purchase of three desktop computers for a total cost of \$4,797.00, that the Board accept the proposal received from Hewlett-Packard Government Direct sales and authorize the purchase of one DesignJet 500 42-inch printer for a total cost of \$3,719.00, and that the Board accept the proposal received from Hewlett-Packard Government Direct sales and authorize the purchase of one HP Color LaserJet 2500 printer for a total

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cost of \$953.00. Mr. Stack seconded the motion, and it carried. (Motion #4)

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

NAY: None

ABSENT: Baldrige, Kramer

Equipment - Ground Water Program – Electric Tape - Mr. Meisner reported that this would be an agenda item for a future meeting of the Subcommittee.

Canal Screen Cleaning Demonstration Project - Mr. Meisner reported that this would be an agenda item for a future meeting of the Subcommittee.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

Mr. Rubenthaler requested that the Executive Subcommittee meet for a few minutes after the Board meeting to discuss legal counsel representation for the Twin Platte Natural Resources District.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for March 2004 was in the Directors' notebook and available as a handout for information.

Accounts Payable - Mr. Meisner 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. Meisner moved that the Financial Statement for March 2004 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on April 8, 2004 in the amount of \$50,862.00. Mr. Petersen seconded the motion, and it carried. (Motion #5)

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

NAY: None

ABSENT: Baldrige, Kramer

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

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Bids/Proposals – None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the May 13, 2004 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the May 13, 2004 Board of Directors meeting.

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts – Budget – Mr. Meisner reported that the Nebraska Association of Resources Districts Board of Directors is currently working on the Fiscal Year 2005 Budget and that in the Directors’ packet for information was the Second Draft of the Nebraska Association of Resources Districts Fiscal Year 2005 Budget.

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meisner reported on the status of Legislative Bill 962, which contains the recommendations of the Water Policy Task Force.

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 Executive Director of the Sandhills Resources, Conservation & Development Council would be attending the June 11, 2004 Board meeting to report on activities and programs of the Council.

Board of Directors Elections 2004 – Mr. Rubenthaler reported that the deadline for incumbents filing for election was February 17 and the deadline for non-office holders filing for election was March 1. Mr. Rubenthaler reported that the election filings for the Twin Platte Natural Resources District Directors seats up for election in 2004 were Subdistrict 1 – None, Subdistrict 2 - Bob Petersen, Subdistrict 3 - Jerry Weaver, Subdistrict 4 - Bob Wiseman, and Subdistrict 5 - Dennis Schilz. Mr. Rubenthaler reported that a vacancy will occur for Election Sub-District 1 in January 2005. Mr. Rubenthaler reported that the Nebraska Statutes govern vacancies in the office of a Director and authorizes the Board to fill such vacancies. Mr. Rubenthaler reported that the District’s current policy when a vacancy on the Board of Directors occurs is the Executive Subcommittee will seek persons interested in filling the vacated Director position, and recommend one or more persons to the Board of Directors to fill the vacancy no later than the second regular meeting of the Board of Directors following the occurrence of the vacancy. Mr. Rubenthaler reported that during the March 11, 2004 Board of Directors meeting, a question was asked if there could be a write-in space provided on the ballot for Election Subdistrict 1. Mr. Rubenthaler reported that Nebraska

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law provides in Statute 32-816 that “at the primary election there shall be no write-in space for ... directors of natural resources districts ... and (b) at the general election there shall be no write-in space for ... directors of natural resources districts”. Mr. Rubenthaler reported that there is a provision in Nebraska law, which provides that an individual could petition to be on the ballot following the filing deadlines if an adequate number of registered voters from the election sub-district sign the petition.

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 there were not adequate un-obligated funds at this time to fund the one unfunded application on file.

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 15 contracts have been approved for cost-share, and that \$6,763.36 was available for additional contracts.

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

Tree Program – Mr. Miller reported that the District personnel began tree planting in the District March 23, 2004. Mr. Miller reported that 106,930 total trees have been ordered from the Colorado State Nursery (57,500 trees), Lincoln-Oakes Nursery (9,800 trees), and the Nursery at Halsey, NE (39,630 trees). Mr. Miller reported that the District's two machine crews are scheduled to plant 71,000 trees at 104 sites and that orders were processed for purchase of 35,900 trees to be planted by individuals. Mr. Miller reported that Mike Ekdahl was scheduled to place 712,372 feet (135 miles) of water conservation mulch material at 91 sites. Mr. Miller reported that 87.5% of the machine crew planted sites would have water conservation mulch. Mr. Miller reported that drip irrigation was planned at three of the machine crew planted sites. Mr. Miller reported that the pickup day for individuals planting trees was April 8, 2004 in Ogallala and April 9, 2004 in North Platte.

Range Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – WILD Nebraska Program – No report presented.

Wildlife Habitat Programs – Corners for Wildlife Program – No report presented.

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Water Programs – Ground Water Program – District Programs – Mr. Miller reported that the Nebraska Department of Natural Resources budget for Fiscal Years 2004 and 2005 contains a total of \$600,000.00 for Natural Resources Districts in the Platte River Basin for implementation of the Platte River Cooperative Agreement. Mr. Miller reported that the General Managers of the Natural Resources Districts in the Platte River Basin had recently met with personnel from the Nebraska Department of Natural Resources and the initial distribution agreed to would provide approximately \$170,000.00 for the Twin Platte Natural Resources District. An interlocal cooperation agreement between each of the Natural Resources Districts and the Nebraska Department of Natural Resources is being drafted by the Department and will be presented to each Natural Resources District in the near future.

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

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

Water Programs – Integrated Management of Ground Water and Surface Water – Joint Action Plan – No report presented.

Water Programs – Integrated Management of Ground Water and Surface Water – Temporary Suspension – No report presented.

Water Programs – Watershed Program - Brule – No report presented.

Water Programs – Watershed Program – Southwestern Keith County – No report presented.

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

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

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 – Mr. Miller reported on meetings and discussions in regard to the South Platte River Compact. Mr. Miller reported that the Western Irrigation District has received notice that the Western

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Irrigation District's application to the Nebraska Environmental Trust was recommended for approval. Mr. Miller reported that the Trust grant was for research and analysis of Nebraska's water supply possibilities from the South Platte River, and to perform and pursue such other activities concerning such other matters related to the South Platte River. Mr. Miller reported that a South Platte Group of sponsors was being formed and an interlocal cooperation agreement was being drafted to be presented to each sponsor in the near future. Mr. Miller reported that the South Platte Group of sponsors and the proposed contribution is the Central Nebraska Public Power & Irrigation District (\$7,000.00), the Central Platte Natural Resources District (\$7,000.00), the Nebraska Public Power District (\$7,000.00), the South Platte Natural Resources District (\$7,000.00), the State of Nebraska Department of Natural Resources (\$7,000.00), the Twin Platte Natural Resources (\$7,000.00), and the Western Irrigation District (\$38,000.00).

Regulatory Programs - Chemigation – No report presented.

Regulatory Programs – Erosion and Sediment Control - No report presented.

Regulatory Programs – Ground Water Runoff - No report presented.

Trails – Lake Maloney – No report presented

Information & Education Programs – Nebraska State Envirothon – Mr. Miller reported that a team from Ogallala High School has qualified to participate in the 2004 Nebraska State Envirothon. Mr. Miller reported that qualification is based on the results of the competition at the Regional Envirothons. Mr. Miller reported that historically, when a team from within the District has qualified to participate in the State Envirothon, the District has paid the team's registration fee for the Nebraska State Envirothon. Mr. Miller reported that the Ogallala High School Team is the only team from within the Twin Platte Natural Resources District to qualify. Mr. Miller reported that the 2004 Nebraska State Envirothon is May 8, 2004 at the Platte River State Park and that the registration fee is \$100.00 per team. Mr. Miller reported that the Nebraska State Envirothon is coordinated and sponsored by the Nebraska Association of Resources Districts.

Mr. Petersen moved that the District provide the \$100.00 registration fee for the Ogallala High School Envirothon Team to participate in the 2004 Nebraska State Envirothon. Mr. Meismer seconded the motion, and it carried. (Motion #6)

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

Information & Education Programs - Scholarships – Mr. Miller reported that the District's policy provides for seven scholarships annually for the Nebraska Range Youth Camp. Mr. Miller reported that the District provides the full cost of the camp

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(transportation is not included) and that the cost for 2004 is \$225.00. Mr. Miller reported that the camp will be held June 14-18, 2004 at the State 4-H Camp at Halsey.

Mr. Miller reported that the District's policy provides for three scholarships annually for the Nebraska Natural Resources and Leadership Camp for youth. Mr. Miller reported that the District provides the full cost of the camp (transportation is not included) and that the cost for 2004 is \$297.00. Mr. Miller reported that the camp will be held June 13-18, 2004 at the State 4-H Camp at Halsey.

Mr. Miller reported that the Board of Directors action on February 12, 2004 provides for up to 4 - \$125.00 scholarships for the 2004 Nebraska Ranch Practicum. Mr. Miller reported that the cost for the Practicum for 2004 is \$600.00. Mr. Miller reported that the Nebraska Ranch Practicum is conducted at the University of Nebraska West Central Research and Extension Center in North Platte and at the Gudmunsen Sandhills Lab.

Mr. Miller reported that the District's policy provides that if applications for scholarships for the Nebraska Range Short Course were received, the Board would consider the applications. Mr. Miller reported that the registration fee for 2004 is \$175.00 and that the short course will be held June 20-25, 2004.

Legislation – Mr. Miller reported that in the Directors' notebook and available as a handout was the April 2, 2004 Nebraska Association of Resources District Legislative Update for information.

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

Mr. Rubenthaler reported that following the presentations during the public forum in regard to the ground water wells planned at the Nebraska Public Power District Gerald Gentleman Station located south of Sutherland, Nebraska, that Mr. Holzfast and representatives of the West Central Nebraska Water Users discussed the formation of a committee made up of three representatives from the Nebraska Public Power District, three representatives of the West Central Nebraska Water Users, and three representatives of the Twin Platte Natural Resources District.

There was no other business.

ADJOURNMENT

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The meeting adjourned at 10:51 p.m. CDT (9:51 p.m. MDT).

Jerry Weaver, Secretary

KOM:Minutes:Bmin0404