

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
January 19, 2006

The Twin Platte Natural Resources District Board of Directors meeting was held at the Quality Inn & Suites, 2102 South Jeffers Street, North Platte, Nebraska on January 19, 2006. Mr. Stack called the meeting to order at 4:00 p.m. CST (3:00 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  
James Meisner  
Robert Petersen  
Dennis Schilz  
Douglas Stack  
Shane Storer  
Joe Wahlgren  
Jerry Weaver  
Robert Wiseman

BOARD MEMBERS ABSENT

Jeff Baldrige  
Jim Rubenthaler

OTHERS PRESENT

Pat Aylward  
Rich Bringelson  
Sid Kite  
Don Lydic  
Milan Moore  
Niles Simmons  
Mike Wheeler, Sargent Irrigation

Neil Betty  
Darrell Eichner  
Frank Kwapnioski, NPPD  
Bill McNerney  
Beatriz Reyna, KNOP-TV  
Cliff Welsh

NRCS PERSONNEL PRESENT

Lee Morse  
Mary Reece, District Conservationist

STAFF PRESENT

Bill Carhart, Range Programs Coordinator  
Ann Dimmitt, Water Programs Regulatory Coordinator  
Harriet Hageman, Legal Counsel  
Amy Mapes, Administrative Assistant  
Kent O. Miller, General Manager

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ANNOUNCEMENTS

Report of Directors Excused – Mr. Stack 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 or she will be absent and that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Stack reported that Mr. Baldrige and Mr. Rubenthaler had notified the office prior to the meeting that they would be absent and that they are therefore excused.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr. Stack reported that each Director has a notebook containing information items.

Other Items - Mr. Stack reported that monthly summary reports of NRCS conservation plans were available for information and that the reports would be passed around the Board table for review by each member of the Board of Directors present. Mr. Stack reported that a notebook containing the Cooperative Agreements between the Nebraska Board of Educational 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

Mr. Stack opened the Public Forum.

Sid Kite, President, Loess Canyons Rangeland Alliance, addressed the Board of Directors. Mr. Kite reviewed a project titled “Reducing Risk for Prescribed Burns as a Rangeland Conservation Practice in Nebraska for the Control of Invasive Eastern Red Cedar” for which the Alliance has received Federal Funds. Mr. Kite requested the Twin Platte Natural Resources District to contribute \$3,000.00 and ask that it be received either in one lump sum or spread over three months beginning April 15th.

Mr. Stack reported that this request was an agenda item that would be considered later in the Board meeting.

Mr. Stack closed the Public Forum.

AGENDA MODIFICATION

None presented.

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GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MINUTES

Minutes for December 13, 2005 Meeting - Mr. Stack reported that the Minutes for the December 13, 2005 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 December 13, 2005 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #1)

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

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - District Conservationist Report – Mrs. Reece distributed and reviewed a written report and a program guide sheet for information.

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.

Ground Water Management – Ground Water Management Area - Mr. Meismer reported that a public hearing was held on January 19, 2006 at 1:00 pm CST (12:00 pm MST) in North Platte, Nebraska, pursuant to Neb.Rev.Stat. § 46-712(2) to consider the management plan information supplied by the Director of the Department of Natural Resources and to hear any other evidence as to whether to establish the entire Twin Platte Natural Resources District as a District-wide Ground Water Management Area, and to consider the proposed amendments to Chapter 8 of the Ground Water Management Plan for the purpose of establishing a District-wide Ground Water Management Area, and

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pursuant to Neb.Rev.Stat. § 46-707 to consider the proposed District-wide Ground Water Management Area Rules and Regulations and to take any other evidence as to whether such Rules and Regulations should be adopted.

Mr. Meismer asked Mr. Miller to respond to the questions asked during the public hearing. Mr. Miller responded to the questions.

Mr. Meismer reported that on January 13, 2004, the Director of the Nebraska Department of Natural Resources issued his preliminary determination that the geographic area of the Twin Platte Natural Resources District included hydrologically connected surface water and ground water. Mr. Meismer reported that on July 16, 2004, the Department of Natural Resources issued its preliminary determination designating the entire Twin Platte Natural Resources District as “fully appropriated” as defined by the Ground Water Management and Protection Act. Mr. Meismer reported that on February 10, 2005, the Board of the Twin Platte Natural Resources District approved amendments to Chapter 8 of the District’s Ground Water Management Plan to establish the entire District as a Ground Water Quantity Management Area. Mr. Meismer reported that on May 26, 2005, the Director of the Department of Natural Resources approved those amendments. Mr. Meismer reported that on January 19, 2006, the Twin Platte Natural Resources District held the required public hearing to address whether to establish the entire Twin Platte Natural Resources District as a Ground Water Management Area, and to consider the proposed amendments to Chapter 8 of the Ground Water Management Plan. Mr. Meismer reported that pursuant to Neb.Rev.Stat. § 46-735, “any person who intends to construct a water well in a management area in this state on land which he or she owns or controls shall, before commencing construction, apply with the district in which the water well will be located for a permit on forms provided by the district.” Mr. Meismer reported that Neb.Rev.Stat. § 46- 714(1), however, states that “there shall be a stay on the issuance of water well construction permits in the geographic area preliminarily determined by the department to include hydrologically connected surface water and ground water in such river basin, subbasin, or reach.” Mr. Meismer reported that the Board believes that Neb.Rev.Stat. § 46-714(1) imposes a stay on the issuance of new water well construction permits at the time that the Twin Platte Natural Resources District is established as a Ground Water Management Area.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors that the Twin Platte Natural Resources District issue an order establishing the entire Twin Platte Natural Resources District as a Ground Water Quantity Management Area, and to adopt the controls that are described and identified in the amended Chapter 8 of the District’s Ground Water Management Plan, which controls are authorized by Neb.Rev.Stat. §§ 46-712 and 46-739; Mr. Meismer further moved the Water Resources Subcommittee’s recommendation to the Board of Directors of the Twin Platte Natural Resources District to approve the proposed “District-wide Ground Water Management Area Rules and Regulations”; and Mr. Meismer further moved the Water Resources Subcommittee’s recommendation to the Board of Directors that the Twin Platte Natural Resources District issue an order that the stay on the issuance of water well

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construction permits as imposed by Neb.Rev.Stat. § 46-714(1) shall become effective upon the effective date of the order establishing the entire Twin Platte Natural Resources District as a Ground Water Quantity Management Area, and that the Staff shall not issue any water well construction permits except in compliance with the District-wide Ground Water Management Area Rules and Regulations. Mr. Wahlgren seconded the motion. The motion carried. (Motion #2)

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

Mr. Meismer reported that in the Directors' notebooks were the District-wide Ground Water Management Area Rules and Regulations presented for public hearing and approved by the Board of Directors in Motion #2 and suggested revisions recommended by the Nebraska Department of Natural Resources and the District's Legal Counsel, Harriet Hageman. Ms Hageman reported that the revisions were for clarification and did not substantially change the Rules and Regulations as presented for public hearing.

Mr. Schilz moved to approve the revisions for the "District-wide Ground Water Management Area Rules and Regulations". Mr. Petersen seconded the motion. The motion carried. (Motion #3)

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

SUBCOMMITTEE MEETINGS REPORT  
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for December 2005 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

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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 2005 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on January 19, 2006 in the amount of \$19,652.08. Mr. Schilz seconded the motion. The motion carried. (Motion #4)

Aye: Hansen, Meismer, Petersen, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Rubenthaler

Absent: None

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 9, 2006 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the February 9, 2006 Board of Directors meeting.

### DIRECTORS REPORTS

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

Nebraska Association of Resources Districts – Legislative Conference, January 24-25, 2006 – Mr. Meismer reported that in the Directors Board meeting packet was information for the Nebraska Association of Resources Districts annual Legislative Conference which will be held January 24-25, 2006 in Lincoln, Nebraska. Mr. Meismer reported that Senator Pederson has been invited to have a private dinner with representatives of the Twin Platte Natural Resources District attending the conference on Tuesday evening, January 24, 2006 following the reception. Mr. Meismer reported that the panhandle Natural Resources Districts have a formal dinner, which Senator Phillip Erdman participates and the Loup River Basin Natural Resources Districts have a formal dinner, which Senator Deb Fischer participates.

Mr. Miller reported that the Board needs to select a voting representative for the business session. Mr. Miller reported that Mr. Meismer is chair of the Nebraska Association of Resources Districts Legislative Committee and he will be chairing the business session. Mr. Stack asked which Directors' plan to attend the conference. Mr. Hansen, Mr. Stack, Mr. Petersen, Mr. Wiseman, and Mr. Weaver indicated that they would be attending the conference. Mr. Stack appointed Mr. Weaver to be the Twin Platte Natural Resources

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District Voting Delegate and Mr. Petersen to be the Twin Platte Natural Resources District Alternate Voting Delegate for the Nebraska Association of Resources Districts Legislative Conference January 24-25, 2006.

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

Platte River Citizens Advisory Council – Mr. Meismer reported on recent activities of the Platte River Citizens Advisory Council.

Sandhills Resources, Conservation & Development Council – Mr. Hansen reported on recent activities of the Sandhills Resources, Conservation & Development Council.

Sandhills Resources, Conservation & Development Council – 28<sup>th</sup> Annual Western RC&D Association Conference – Mr. Hansen reported that in the Directors’ packet was a letter dated January 4, 2006 from the Sandhills Resource Conservation and Development Council and information for the 28<sup>th</sup> Annual Western Association Conference. Mr. Hansen reported that the Sandhills Resource Conservation and Development Council is requesting that the Twin Platte Natural Resources District provide financial support for the conference. No action was taken to provide financial support for the conference.

Board of Directors Elections 2006 – Mr. Stack reported that the deadline for incumbents filing for re-election is February 15, and the deadline for Non-Office Holders filing for election is March 1. Mr. Stack reported that the Twin Platte Natural Resources District Directors seats up for election in 2006 are:

Sub-District 1	Eric Hansen
Sub-District 2	Joe Wahlgren
Sub-District 3	Doug Stack
Sub-District 4	Jeff Baldridge
Sub-District 5	Jim Meismer
At-Large	Jim Rubenthaler

Mr. Stack reported that in the Directors’ packet for information was the Twin Platte Natural Resources District Operating Policy Number 3: Board of Directors Election Sub-Districts which is the official listing of voting precincts for each election Sub-District and maps of the election Sub-Districts.

Requests for Authorization to Travel - No requests were presented.

DISTRICT REPORT

Requests for Assistance – Loess Canyons Rangeland Alliance – Mr. Miller reported that Sid Kite, President, Loess Canyons Rangeland Alliance, addressed the Board of Directors during the public forum during which he reviewed a project titled “Reducing Risk for

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Prescribed Burns as a Rangeland Conservation Practice in Nebraska for the Control of Invasive Eastern Red Cedar”. Mr. Miller reported that Mr. Kite requested the Twin Platte Natural Resources District to contribute \$3,000.00 and that he asked that the funds be available beginning April 15th.

Mr. Wahlgren moved to approve providing \$3,000.00 to the Loess Canyons Rangeland Alliance to use for the project titled “Reducing Risk for Prescribed Burns as a Rangeland Conservation Practice in Nebraska for the Control of Invasive Eastern Red Cedar” with the funds to be provided following the February 9, 2006 Board of Directors meeting. Mr. Meismmer seconded the motion. The motion carried. (Motion #5)

Aye: Hansen, Meismmer, Petersen, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
 Nay: None  
 Absent & Excused: Baldrige, Rubenthaler  
 Absent: None

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 \$63,198.53 was available.

Mr. Wahlgren moved to approve the January 19, 2006 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>
6.014	NC-12	Trees	\$ 297.00	\$ 297.00
6.015	NC-12	Trees	\$ 914.00	\$ 914.00
6.016	NC-12	Trees	\$ 916.00	\$ 916.00
6.017	NC-12	Trees	\$ 914.00	\$ 914.00
6.018	NC-12	Trees	\$ 906.04	\$ 906.04
6.019	NC-12	Trees	\$ 897.40	\$ 897.40
6.020	NC-12	Trees	\$ 520.94	\$ 520.94
6.021	NC-12	Trees	\$ 912.29	\$ 912.29
6.022	NC-12	Trees	\$ 226.10	\$ 226.10
6.023	NC-12	Trees	\$ 498.00	\$ 498.00
6.024	NC-12	Trees	\$ 729.90	\$ 729.90
6.025	NC-12	Trees	\$ 906.19	\$ 906.19
6.026	NC-12	Trees	\$ 183.00	\$ 183.00
6.027	NC-12	Trees	\$ 151.47	\$ 151.47
6.028	NC-17	Irrigation Water Management	\$ 2,080.00	\$ 2,080.00
6.029	NC-17	Irrigation Water Management	\$ 2,320.00	\$ 2,320.00
6.030	NC-17	Irrigation Water Management	\$ 2,400.00	\$ 2,400.00
6.031	NC-1	Terraces	\$ 1,065.00	\$ 1,065.00
Total Amount of New Contracts				\$ 16,837.33

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FUNDS AVAILABLE:	Practice NC-12, Windbreaks	\$ 10,892.90
	Practice NC-14, Planned Grazing	\$ 22,112.55
	Practice NC-17, Irrigation	\$ 11,910.80
	Other available practices	\$ 1,502.75

Mr. Petersen seconded the motion. The motion carried. (Motion #6)

Aye: Hansen, Meisner, Petersen, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Rubenthaler

Absent: None

Cost-Share Programs – District Conservation Program – Mr. Miller reported that in the Directors' Board meeting notebook was a report for information for the District's Conservation Program for providing cost-share funds for well abandonment. Mr. Miller reported that \$5,282.81 was available for new contracts.

Tree Program – No report presented.

Range Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – WILD Nebraska Program – Mr. Miller reported that in the Directors' packet for information was a memo in regard to a participant in the WILD Nebraska program who has had a non-compliance of a contract and a copy of a letter to the participant.

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

Water Programs – Ground Water Management – Monitoring Programs – No report presented.

Water Programs – Ground Water Management – Ground Water Management Plan – No report presented.

Water Programs – Integrated Management of Ground Water & Surface Water – Temporary Well Drilling Suspension – No report presented.

Water Programs – Integrated Management of Ground Water & Surface Water – Integrated Management Plan – Mr. Miller reported on the meetings held and the schedule for future meetings of the Twin Platte Natural Resources District Stakeholders.

Mr. Miller reported that in the Directors notebook, for information, were the minutes of the Platte River Basin Stakeholders group meeting held on November 15, 2005. Mr.

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Miller reported that the third meeting of the Platte River Basin Stakeholders group will be in North Platte on February 1, 2006. Mr. Miller reported that the four Twin Platte Natural Resources District representatives from the Twin Platte Natural Resources District stakeholders group were Jim Hawks, City Administrator, City of North Platte, representing municipalities; Roric Paulman, Producer and President of the West Central Nebraska Water Users Coalition, representing Ground Water Users; Phil Armstrong, Board Member, Western Irrigation District, representing Surface Water Users; and Doug Teaford, Keith County Commissioner, representing other interests. Mr. Miller reported that the two Twin Platte Natural Resources District Board of Directors representatives are Mr. Meismer and Mr. Wahlgren.

Water Programs – Integrated Management of Ground Water & Surface Water – Certifying Irrigated Acres – No report presented.

Water Programs – Integrated Management of Ground Water & Surface Water – Platte River Cooperative Agreement – No report presented.

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

Water Programs – Watershed Program – Western Irrigation Watershed – No report presented.

Water Programs – Interlocal Cooperation Agreements - Cooperative Hydrology Study – No report presented.

Water Programs – Interlocal Cooperation Agreements – Ground Water Management Coalition – No report presented.

Water Programs – Interlocal Cooperation Agreements – South Platte Coalition – No report presented.

Water Programs – Interlocal Cooperation Agreements – Nebraska Habitat Conservation Coalition – No report presented.

Water Programs – South Platte Compact – Nebraska Environmental Trust Grant Application – No report presented.

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.

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Information & Education Programs – No report presented.

Legislation – Mr. Miller reported that in the Directors’ packet for information was a Nebraska Association of Resources Districts report dated January 13, 2006 and information of Legislative changes proposed for LB962 enacted in 2004.

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' Board meeting packet.

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

OTHER BUSINESS

There was no other business.

ELECTION OF OFFICERS

Mr. Stack asked Mr. Miller to Chair the meeting for the election of officers.

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

Mr. Petersen moved to elect Mr. Rubenthaler Chairperson, Mr. Stack Vice-Chairperson, Mr. Weaver Secretary, and Mr. Meismer Treasurer. Mr. Schilz seconded the motion. The motion carried. (Motion #7)

Aye: Hansen, Meismer, Petersen, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Rubenthaler

Absent: None

Mr. Stack resumed chairing the meeting.

SELECTION OF NEBRASKA ASSOCIATION  
OF RESOURCES DISTRICT REPRESENTATIVE

Mr. Wahlgren moved that for the Nebraska Association of Resources Districts Board of Directors, the Twin Platte Natural Resources District 2006 representative be Mr. Meismer. Mr. Weaver seconded the motion. The motion carried. (Motion #8)

Aye: Hansen, Petersen, Schilz, Stack, Storer, Wahlgren, Weaver,  
Wiseman

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Nay: None  
Abstain: Meismer  
Absent & Excused: Baldrige, Rubenthaler  
Absent: None

SUBCOMMITTEE APPOINTMENTS

Chairperson's Report – Mr. Miller reported that Mr. Rubenthaler would present his appointments for the Subcommittees for 2006 during the February 9, 2006 Board of Directors meeting.

NEXT MEETING

Mr. Stack reported that the next Board of Directors meeting would be held on Thursday, February 9, 2006 at 3:00 pm CST (2:00 pm MST) at the TierOne Bank Center, 111 South Dewey Street, North Platte, Nebraska.

PUBLIC FORUM (Continued)

Darrell Eichner requested an opportunity to address the Board as he said he was not able to be present during the Public Forum at the beginning of the Board meeting.

Mr. Stack opened the Public Forum.

Mr. Eichner stated that he was concerned that the irrigation development near his home could cause his house well to go dry. Mr. Eichner asked the Board to consider doing something to prevent his house well from going dry.

Mr. Stack closed the Public Forum.

ADJOURNMENT

The meeting adjourned at 5:48 p.m. CST (4:48 p.m. MST).

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Jerry Weaver, Secretary

KOM:Minutes:Bmin0106