

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
September 13, 2007

The Twin Platte Natural Resources District Board of Directors meeting was held at the TierOne Bank Center Meeting Room, Second Floor, West Wing, 111 South Dewey Street, North Platte, Nebraska on September 13, 2007. 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
Dale Margritz
Jim Meisner
Bob Petersen
Jim Rubenthaler
Dennis Schilz
Doug Stack
Jerry Weaver
Bob Wiseman

BOARD MEMBERS ABSENT

Shane Storer
Joe Wahlgren

OTHERS PRESENT

Mike Wheeler, Sargent Irrigation

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

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

ANNOUNCEMENTS

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

Report of Directors Excused – Mr. Rubenthaler reported that Operating Policy Number

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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. Rubenthaler reported that Mr. Storer and Mr. Wahlgren notified the office prior to the meeting that they would be unable to attend and were therefore excused.

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

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

INFORMAL PUBLIC HEARING - BUDGET

Open Proceedings - Jim Rubenthaler, Chair of the Twin Platte Natural Resources District Board of Directors and Presiding Officer, opened the Public Hearing at 7:41 p.m. CDT.

Appointment of Hearing Examiner - Mr. Rubenthaler appointed Kent O. Miller, General Manager of the Twin Platte Natural Resources District, Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller distributed an informational packet for the proposed 2007-2008 Fiscal Year Budget, which was also in the Director’s packet, for information. Mr. Miller reported that the purpose of the informal public hearing was for hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed Twin Platte Natural Resources District 2007-2008 Fiscal Year Budget. Mr. Miller reported that a legal notice was published in the North Platte Telegraph on September 6, 2007 and that a copy of the legal notice was included in the informational packet.

Mr. Miller reviewed the following for the proposed 2007-2008 Fiscal Year Budget:

| | |
|--|-----------------|
| 2005-2006 Actual Disbursements & Transfers | \$ 791,749.17 |
| 2006-2007 Actual Disbursements & Transfers | \$ 826,727.60 |
| 2007-2008 Proposed Budget of Disbursements & Transfers | \$ 1,167,511.47 |
| 2007-2008 Necessary Cash Reserve | \$ 200,000.00 |
| 2007-2008 Total Resources Available | \$ 1,367,511.47 |
| Total 2007-2008 Personal & Real Property Tax Requirement | \$ 743,199.92 |
| Unused Budget Authority Created For Next Year | \$ 188,283.22 |

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

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No testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the Budget.

There were no questions.

Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Rubenthaler.

Mr. Rubenthaler declared the hearing closed 7:44 p.m. CDT.

INFORMAL PUBLIC HEARING – SETTING FINAL TAX REQUEST

Open Proceedings - Jim Rubenthaler, Chair of the Twin Platte Natural Resources District Board of Directors and Presiding Officer, opened the Public Hearing at 7:45 p.m. CDT.

Appointment of Hearing Examiner - Mr. Rubenthaler appointed Kent O. Miller, General Manager of the Twin Platte Natural Resources District Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported that the purpose of the informal public hearing was for hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request to fund the proposed Twin Platte Natural Resources District 2007-2008 Fiscal Year Budget. Mr. Miller reported that a legal notice was published in the North Platte Telegraph on September 6, 2007 and that a copy of the legal notice was included in the informational packet which was distributed during the Informal Public Hearing for the 2007-2008 Fiscal Year Budget.

Mr. Miller reviewed the following for the proposed 2007-2008 Fiscal Year Budget:

| | | |
|--|----|------------|
| 2006-2007 Property Tax Request | \$ | 714,616.08 |
| 2006 Tax Rate | | 0.022929 |
| Property Tax Rate (2006-2007 Request/2007 Valuation) | | 0.021894 |
| 2007-2008 Proposed Property Tax Request | \$ | 743,199.92 |
| Proposed 2007 Tax Rate | | 0.022769 |

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

No testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the Budget.

There were no questions.

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Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Rubenthaler.

Mr. Rubentahler declared the hearing closed 7:47 p.m. CDT.

2007-2008 FISCAL YEAR BUDGET

Final Approval

Mr. Petersen moved to approve the following resolution:

WHEREAS, a legal notice of budget hearing and budget summary was published in the North Platte Telegraph on September 6, 2007, for a hearing scheduled for September 13, 2007 by the Board of Directors of the Twin Platte Natural Resources District; and

WHEREAS, the Board of Directors of the Twin Platte Natural Resources District on September 13, 2007 held a public hearing for the purpose of hearing support, opposition, criticism, suggestions and observations of taxpayers relating to the proposed budget;

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors approves the 2007-2008 Fiscal Year Budget as presented for public hearing.

Mr. Meismer seconded the motion. The motion carried. (Nebraska Statutes requires a majority vote of the Board of Directors present.) (Motion #1)

AYE: Meismer, Petersen, Rubenthaler, Schilz, Stack, Weaver

NAY: Hansen, Margritz, Wiseman

ABSENT & EXCUSED: Storer, Wahlgren

Set Property Tax Request

Mr. Schilz moved to approve the following resolution:

WHEREAS, Nebraska Statutes provide that the property tax request for the prior year shall be the property tax request for the current year unless the Board of Directors passes by a majority vote a resolution setting the tax request at a different amount; and

WHEREAS, a legal notice of special hearing to set final tax request was published in the North Platte Telegraph on September 6, 2007, for a hearing scheduled for September 13, 2007 by the Board of Directors of the Twin Platte Natural Resources District; and

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WHEREAS, the Board of Directors of the Twin Platte Natural Resources District on September 13, 2007 held a public hearing for the purpose of hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request to fund the proposed Twin Platte Natural Resources District 2007-2008 Fiscal Year Budget; and

WHEREAS, the 2006-2007 Fiscal Year property tax request for the Twin Platte Natural Resources Districts was \$714,616.08 and the 2007-2008 Fiscal Year Budget requires a property tax request for the Twin Platte Natural Resources Districts of \$743,199.92.

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors sets the final property tax request for the Twin Platte Natural Resources District for the 2007-2008 Fiscal Year Budget at \$743,199.92.

Mr. Meisner seconded the motion. The motion carried. (Nebraska Statutes requires that the Board of Directors passes by a majority vote a resolution setting the tax request at a different amount from the property tax request for the prior year. The State Auditors office has interpreted a majority vote to be a majority of the Board of Directors which would require 6 affirmative votes.) (Motion #2)

AYE: Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack,
Weaver, Wiseman

NAY: Hansen

ABSENT & EXCUSED: Storer, Wahlgren

Restricted Funds Authority

Mr. Meisner moved to approve the following resolution:

WHEREAS, the Nebraska Statutes provide that the Twin Platte Natural Resources District may exceed the budget limit for the 2007-2008 Fiscal Year by up to an additional one percent upon the affirmative vote of at least seventy-five percent of the Board of Directors; and

WHEREAS, the Twin Platte Natural Resources District may carry forward an additional unused restricted funds authority of \$4,866.50 to future budget years with approval of the additional one percent.

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors approve exceeding the budget limit for the 2007-2008 Fiscal Year by an additional one percent.

Mr. Schilz seconded the motion. The motion failed. (Nebraska Statutes requires an affirmative vote of at least 75% of the Board of Directors to exceed the budget limit for

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the 2007-2008 Fiscal Year by an additional one percent which would require 9 affirmative votes.) (Motion #3)

AYE: Meismer, Petersen Rubenthaler, Schilz, Stack

NAY: Hansen, Margritz, Weaver, Wiseman

ABSENT & EXCUSED: Storer, Wahlgren

PUBLIC FORUM

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

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

None presented.

BOARD OF DIRECTORS MINUTES

Minutes for August 9, 2007 Meeting – Mr. Rubenthaler reported that the Minutes for the August 9, 2007 meeting were in the Directors packet and he asked if there were corrections or additions to the Minutes.

Mr. Margritz moved that the Minutes of the August 9, 2007 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #4)

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

Nay: Stack

Absent & Excused: Storer, Wahlgren

Absent: None

REQUESTS FOR ASSISTANCE

No requests for assistance were presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service – District Conservationist Report – Mrs. Mary Reece distributed and reviewed a written report.

USDA Natural Resources Conservation Service – Local Work Group Meeting – Mrs. Reece reported on the Local Work Group meeting held prior to the Board Meeting on September 13, 2007.

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Mrs. Reece requested that the Board consider at this time the agenda item “Cost-Share Programs - Nebraska Soil & Water Conservation Program – Eligible Practices” as she needed to leave. The members of the Board of Directors had no objection.

DISTRICT REPORT

Cost-Share Programs - Nebraska Soil & Water Conservation Program – Eligible Practices – Mr. Miller reported that in the Directors’ notebooks was the Nebraska Soil and Water Conservation Program eligible practices showing the Twin Platte Natural Resources District Eligible Practices approved for the 2008 FY (July 1, 2007 – June 30, 2008). Mr. Miller reported that the current policy of the District provides that the following are not available for cost-share in the District:

- Practice NC-12, Windbreaks, parts F & G
- Practice, NC-14, Planned Grazing Systems, part C
- Practice NC-16, Windbreak Renovation
- Practice NC-17, Irrigation Water Management, selected components in part B
- Practice NC-19, Repair of Practices.

Mr. Miller reported that the current policy of the District provides the following for the 2008 FY:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2007 to January 30, 2008
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2007 to January 30, 2008
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2007 to January 30, 2008
- For the other eligible practices that 10% of available funds be reserved from July 1, 2007 to January 30, 2008
- Any funds available after January 30, 2008 may be used for any eligible practice

Mr. Miller reported that Mrs. Reece and the Twin Platte Natural Resources District staff are recommending that Practice NC-19, Repair of Practices be made available for terraces for the remainder of the 2008 FY (July 1, 2007 – June 30, 2008). Mr. Miller reported that funding for Practice NC-19, Repair of Practices, would come from the “For the other eligible practices that 10% of available funds be reserved from July 1, 2007 to January 30, 2008” and “Any funds available after January 30, 2008 may be used for any eligible practice”.

Mr. Meismer moved that for the Nebraska Soil & Water Conservation Program that Practice NC-19, Repair of Practices, be made available for terraces for the remainder of the 2008 FY as follows (July 1, 2007 – June 30, 2008):

NC – 19 Repair of Practices

Purpose: *Cost-share under the Nebraska Soil and Water Conservation Program (NSWCP) is authorized for the repair of the following practices or practice elements*

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when the damage to the practice is due to natural cause(s) rather than improper or inadequate maintenance; terraces, ~~dams, diversions, grade stabilization structures,~~ and livestock water supply pipelines. Any repair work must return the practice to a condition that meets technical specifications of the Natural Resources Conservation Service.

A **Eligible Components:** Listed under the eligible practice being repaired.

Mr. Weaver seconded the motion. The motion carried. (Motion #5)

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

Nay: None

Absent & Excused: Storer, Wahlgren

Absent: None

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the subcommittee meeting held on September 13, 2007.

Ground Water Management – Variances – None presented.

Ground Water Management – Variances – Review – New Water Wells for Surface Irrigated Acres – Mr. Meismer reported that the Twin Platte Natural Resources District Rules and Regulations provide that a variance can be granted for a water well if it is a new well constructed and used to irrigate acres that were irrigated with surface water in the last two years, and the owner of the well executes an agreement with the District in which the land owner agrees: (1) that the new well will only be used to supplement the surface water supply for the tract involved and will only be used when that supply had been exhausted and is no longer available to the operator at his or her normal rotation of schedule time(s); (2) to not relinquish the surface water right and to take reasonable measures to protect it from adjudication because of non use; (3) that the number of acres collectively irrigated with surface water and through use of the new supplemental well will not exceed the maximum number of acres irrigated with surface water in any one of the last two years; and (4) any other requirement or condition the Board may impose consistent with the purposes of these Rules and Regulations. Mr. Meismer reported that eight agreements have been entered into and that seven wells have been installed. Mr. Meismer reported that Mr. Bowers and Mrs. Dimmitt have been conducting field checks for the seven agreements with a new well and that Mr. Bowers and Mrs. Dimmitt reported to the Subcommittee on several of the field checks. Mr. Meismer reported that all seven agreements were found to be in compliance.

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Ground Water Management – Variances – Policy – Mr. Meismer reported that the Subcommittee is recommending a policy requiring verification of ownership of both parcels when a variance is approved or if a variance is dependent upon a purchase or transfer of ownership of land, that verification of ownership is received prior to the variance becoming effective and the transfer occurring. Mr. Meismer reported that a potential buyer of land may want to know if they have a variance prior to executing a purchase. Mr. Meismer reported that the District’s legal counsel, Harriet Hageman, had prepare language in regard to ownership that could be used when informing people what information the District needs for processing variances, that could be used in Board motions, and could be used in letters following Board actions.

Mr. Meismer moved the Water Resources Subcommittee recommendation to the Board of Directors to approve the following requirement when an individual (or entity) seeks a variance or when someone applies to the TPNRD for a transfer permit:

"All applications filed pursuant to, or as required by, any provision of the TPNRD Districtwide Ground Water Management Area Rules and Regulations must be accompanied by either 'proof of ownership' of the real property that is the subject of the requested action, or, if the applicant is the lessee or a prospective purchaser, proof that the owner of such real property has consented to the requested action. 'Proof of ownership' may include, but is not limited to, a properly recorded warranty deed or quitclaim deed. If the applicant is the lessee of the real property in question, or is seeking TPNRD approval for an action pending purchase of the real property, 'consent' by the owner of that real property may be demonstrated through a letter or affidavit describing the proposed action and granting permission for the lessee's or prospective purchaser's application. Such 'consent' must also be accompanied by the necessary proof of ownership as described above."

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

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

Ground Water Management - Certifying Irrigated Acres – Mr. Meismer asked Mrs. Dimmitt to report on the status of certifying irrigated acres. Mrs. Dimmitt reported on the status of certifying irrigated acres.

Ground Water Management - Ethanol Plant at Sutherland – Mr. Meismer reported that in the Directors’ Board meeting packet for information were a letter from KL Process Design Group in regard to the Midwest Renewable Energy Ethanol Plant at Sutherland, a draft letter prepared by Twin Platte Natural Resources District legal counsel, Harriet Hageman, a confidential Attorney Client Privilege Memorandum from Twin Platte Natural Resources District legal counsel, Harriet Hageman in regard to Industrial Ground

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Water Development Ethanol, Nebraska Statutes Section 46-713, Nebraska Statutes Section 46-715, and Nebraska Statutes Section 46-715. Mr. Meisner reported that currently the plant uses 136,889,600 gallons / year and the planned expansion will cause the plant to use an additional 445,785,450 gallons / year. Mr. Meisner reported that Mr. Miller planned to send the draft letter, prepared by the Twin Platte Natural Resources District legal counsel, Harriet Hageman, and that Mr. Miller had asked the Subcommittee to review the draft letter. Mr. Meisner reported that the Subcommittee suggested some revisions for the letter to make is clear that Nebraska law allows the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources, with implementation of the Integrated Management Plan, to adopt controls that require those commercial and industrial water users who use more than twenty-five million (25,000,000) gallons of water annually to mitigate any new or expanded water usage and that the General Manager expected that such Integrated Management Plan controls would be adopted that would require, at a minimum, that the Sutherland Ethanol Plant offset (mitigate) the increased consumptive use of ground water.

Integrated Management Plan - Twin Platte Natural Resources District – Stakeholders Meetings – Mr. Meisner reported that the next meeting of the Twin Platte Natural Resources District Stakeholders would be September 17, 2007 at 7:00 pm CDT and would be held at the Holiday Inn Express in North Platte.

Integrated Management Plan - Twin Platte Natural Resources District – Extension - Mr. Mr. Meisner reported that Neb.Rev.Stat., Section 46-715, provides that whenever the Department of Natural Resources has designated a river basin, subbasin, or reach as over appropriated, or has made a final determination that a river basin, subbasin, or reach is fully appropriated, the Natural Resources Districts encompassing such river basin, subbasin, or reach and the Department of Natural Resources shall jointly develop an integrated management plan for such river basin, subbasin, or reach. Mr. Meisner reported that this statutory provision also provides that any such plan shall be completed, adopted, and take effect within three years after such designation or final determination unless the Department of Natural Resources and the Natural Resources District jointly agree to an extension of not more than two additional years. Mr. Meisner reported that on September 15, 2004, the Department of Natural Resources designated a portion (i.e., the “28/40 area”) of the Platte River Basin within the Twin Platte Natural Resources District as over appropriated and on September 30, 2004, the Department of Natural Resources made a final determination that the Platte River Basin within the Twin Platte Natural Resources District was fully appropriated. Mr. Meisner reported that as a result, the Twin Platte Natural Resources District stakeholders have been meeting on a monthly basis since March 2005, and have been working diligently toward developing a recommended Twin Platte Natural Resources District Integrated Management Plan to be presented to the District Board of Directors and to the Director of the Department of Natural Resources. Mr. Meisner reported that the stakeholders have now reported to the Twin Platte Natural Resources District Board of Directors that they do not have the ability to present such a recommendation to the Twin Platte Natural Resources District Board of Directors and the Director of the Department of Natural Resources by

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September 2007, which is three years after the “over appropriated” designation and the “fully appropriated” determinations were made.

Mr. Meismer reported that during the August 9, 2007 Board of Directors meeting, the Board took the following action:

Mr. Meismer moved the Water Resources Subcommittee recommendation to the Board of Directors that considering the current situation, and considering the fact that the Twin Platte Natural Resources District has made substantial progress towards the development of the required Integrated Management Plan and pursuant to Neb.Rev.Stat., Section 46-715(4)(a), to approve extending the three-year period by one additional year to complete and adopt an Integrated Management Plan and to request that the Department of Natural Resources jointly agree to extending by one year the period for adopting an Integrated Management Plan for the Twin Platte Natural Resources District.

Mr. Meismer reported that in the Directors’ Board meeting notebook were a letter to Ann Bleed August 10, 2007 in regard to the Board of Directors action August 9, 2007 and a letter from Ann Bleed September 12, 2007.

Mr. Meismer reported that Mrs. Bleed is proposing an 8 month extension. Mr. Miller reported that she has proposed a similar extension for each of the Natural Resources Districts within the Platte River Basin. Mr. Meismer reported that Natural Resources Districts can consider additional extension(s) if needed up to the two years allowed by statute.

Mr. Meismer reported that the Twin Platte Natural Resources District Legal Counsel, Harriet Hageman, prepared a draft letter to Mrs. Bleed which is in the Directors’ Board meeting notebooks.

Mr. Meismer moved the Water Resources Subcommittee recommendation to the Board of Directors to approve that the Twin Platte Natural Resources District agreed with the Department of Natural Resources that an eight (8) month extension at this time is appropriate to complete the Integrated Management Plan (IMP) process and while the District will continue to work diligently with the Department to finalize an IMP within the next eight (8) months, the District also recognizes that it may be necessary to take the additional time allowed by the Nebraska Legislature to ensure that the intent and purpose of the Ground Water Management and Protection Act is carried out. Mr. Wiseman seconded the motion. The motion carried. (Motion #7)

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

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Integrated Management Plan - Twin Platte Natural Resources District – Central Nebraska Public Power and Irrigation District Resolution - Mr. Meismer reported that Twin Platte Natural Resources District Legal Counsel, Harriet Hageman, opinion was that discussion or action was not required by the Twin Platte Natural Resources District in regard to the resolution approved by the Central Nebraska Public Power and Irrigation District Board of Directors on August 6, 2007 in regard to the Twin Platte Natural Resources District Integrated Management Plan.

No discussion occurred.

Integrated Management Plan - Twin Platte Natural Resources District – Stakeholders - Mr. Meismer reported that Lisa Dominisse, Executive Director for the Development Corporation of North Platte, and a member to the Twin Platte Natural Resources District stakeholders representing Economic Development, has resigned as Executive Director to take a new position in North Platte with the Great Plains Regional Medical Center. Mr. Meismer reported that he spoke with Mrs. Dominisse and she agreed to continue as a member of the stakeholders representing Economic Development.

Mr. Meismer reported that the Subcommittee did not have time for the remaining agenda items and he asked Mr. Miller to present a report to the Board for each of the remaining agenda items.

Integrated Management Plan - Platte River Basin – Mr. Miller reported that during the Platte River Basin Stakeholders meeting held June 20, 2007, a subcommittee of Natural Resources District managers, Irrigation District representatives, and the Director of the Department of Natural Resources was formed to prepare a recommendation for the stakeholders. Mr. Miller reported that the Subcommittee has met on July 17, 2007 and August 7, 2007 and has scheduled additional meetings for September 14, 2007 and October 23, 2007. Mr. Miller reported that these subcommittee meetings are being facilitated by Jonathan Bartsch. Mr. Miller reported that following each meeting, Jonathan has distributed drafts for discussion at the next meeting. Mr. Miller reported that following the July 17, 2007 meeting, that he had the Twin Platte Natural Resources District legal counsel, Harriet Hageman, review the draft and that Ms. Hageman and he had worked up a proposal that was presented and used for the discussion during the August 7, 2007 meeting. Mr. Miller reported that following the August 7, 2007 meeting, Mr. Bartsch again distributed a draft that was substantially different from the draft Ms. Hageman and he prepared. Mr. Miller reported that on September 4, 2007, the Managers for each of the Natural Resources Districts met and prepared a draft that will be presented for consideration during the September 14, 2007 meeting. Mr. Miller reported that in the Directors' Board meeting notebooks were the draft prepared by the Twin Platte Natural Resources District (Tri-Basin Natural Resources District joined in presenting this draft) which was presented and used for the discussion during the August 7, 2007 meeting and the draft prepared by the Managers for each of the Natural Resources Districts that will be presented for consideration during the September 14, 2007 meeting.

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South Platte River Compact - Water Right – Mr. Miller reported on the South Platte River Coalition sponsors meeting (conference call) held on August 15, 2007 to discuss the Twin Platte Natural Resources District’s proposed Interlocal Cooperation Agreement. Mr. Miller reported that the South Platte River Coalition sponsors had scheduled another meeting for September 10, 2007, which was cancelled, to continue discussion of the Twin Platte Natural Resources District’s proposed Interlocal Cooperation Agreement. Mr. Miller reported that another meeting will be scheduled as-soon-as possible to continue discussion of the Twin Platte Natural Resources District’s proposed Interlocal Cooperation Agreement.

South Platte River Compact - Hydrologic Assessment – Mr. Miller reported on the status of the hydrologic assessment being done by the Flatwater Group.

Hazard Mitigation - Grant Program – Mr. Miller reported that in the Directors’ Board meeting packet were an e-mail from Steve Krajewski, Ogallala City Manager and information from Papio-Missouri River Natural Resources District. Mr. Miller reported that apparently, the Nebraska Emergency Management Agency prefers that All-Hazard Mitigation Plans be developed within Natural Resources District boundaries to be eligible for the 75% Federal grants funding to prepare the plans and such plans have to be in place if a community is to be eligible for future mitigation funds. Mr. Miller reported that the District has been contacted by a consulting firm interested in working with the District in seeking the grant and preparing a plan for the Twin Platte Natural Resources District.

Mr. Stack moved to authorize the Twin Platte Natural Resources District staff to determine community interest within the District for the preparation of an All-Hazard Mitigation Plan for the Twin Platte Natural Resources District and if there is an interest, that the General Manager will provide additional information for the Board of Directors including which communities are interested, costs, staff time, etc. Mr. Petersen seconded the motion. The motion carried. (Motion #8)

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

Platte River Recovery Implementation Program - Executive Director - Mr. Miller reported that in the Directors’ Board meeting packet for information was a news article about Jerry Kenny, Executive Director for the Platte River Recovery Implementation Program.

Platte River Recovery Implementation Program - North Platte River Restoration and Enhancement Project - Mr. Miller reported on the status of the North Platte River Restoration and Enhancement Project.

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SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for August 2007 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 August 2007 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on September 13, 2007 in the amount of \$38,742.97. Mr. Stack seconded the motion. The motion carried. (Motion #9)

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

Budget Status – No report presented.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the October 11, 2007 Board of Directors Meeting – Mr. Miller reported, per District policy, that bids/proposals would be presented for consideration during the October 11, 2007 Board of Directors meeting for the purchase of computer equipment. Mr. Miller reported that the computer equipment is a laptop computer for the Ground Water Modeler. Mr. Miller reported that the Ground Water Modeler needs a laptop for his use when working with the other COHYST Ground Water Modelers and when working within the Tri-Basin Natural Resources District (25%) and within the Central Platte Natural Resources District (15%). Mr. Miller reported that COHYST funds will reimburse the Twin Platte Natural Resources District the cost for this purchase.

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts – Annual Conference - September 24-25, 2007 - Kearney, NE – Mr. Meismer reported that the Nebraska Association of Resources Districts annual conference will be held September 24-25, 2007 in Kearney, Nebraska and that in the Directors' packet for information was the program for the conference and resolutions that have been submitted.

Mr. Meismer, Mr. Rubenthaler, and Mr. Miller reported that they were planning to attend the full conference and Mr. Petersen reported that he is planning to attend for a half day on September 24, 2007. Mr. Meismer reported that if other Directors would like to attend, to please notify the office and the staff would register you for the conference and make lodging reservations.

Mr. Meismer reported that the Board needed to take action to select a voting delegate for the conference. Mr. Miller reported that Mr. Meismer would be chairing the Business Session during the conference when the votes are taken which makes it difficult for Mr. Meismer to be a voting delegate. Mr. Rubenthaler, appointed himself the Twin Platte Natural Resources District's voting delegate for the Nebraska Association of Resources Districts 2007 Annual Conference.

Nebraska Association of Resources Districts – Water Policy Task Force – No report presented.

Sandhills Resources, Conservation & Development Council – Mr. Hansen reported that the Annual Conference for the Nebraska Resources, Conservation & Development Councils would be held in Ogallala, Nebraska October 2-4, 2007.

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs - Nebraska Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook for information was the monthly report. Mr. Miller reported that \$78,021.58 was available.

Mr. Miller reported that there were no requests for new contracts to present.

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board meeting notebook was a report for information. Mr. Miller reported that \$9,300.00 was available for new contracts.

Tree Program – No report presented.

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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.

Water Programs – Ground Water Management – No report presented.

Water Programs – Integrated Management Plans – No report presented.

Water Programs – Platte River Recovery Implementation Program – No report presented.

Water Programs – Watersheds - Brule – Mr. Miller reported that the District and the NRCS annually conducts an inspection of the Brule Watershed. Mr. Miller reported that in the Directors' notebook for information was the Brule Watershed inspection report for September 6, 2007. Mr. Miller reported that the recommendations for maintenance will be done.

Water Programs – Watersheds – Western Irrigation – 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 River Compact – 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 – No report presented.

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Information & Education Programs – No report presented.

Requests for Authorization to Travel – No requests for authorization to travel 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.

NEXT MEETING

Mr. Rubenthaler reported that the next Board of Directors meeting would be held on Thursday, October 11, 2007 at 7:30 pm CDT (6:30 pm MDT) in North Platte, Nebraska.

ADJOURNMENT

The meeting adjourned at 9:10 p.m. CDT (8:10 p.m. MDT).

Jerry Weaver, Secretary