

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
July 9, 2009

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the TierOne Bank Center Meeting Room, Second Floor, 111 South Dewey Street, North Platte, Nebraska on July 9, 2009. Mr. Rubenthaler called the meeting to order at 7:39 pm CDT (6:39 pm 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
Shane Storer
Joe Wahlgren
Jerry Weaver

BOARD MEMBERS ABSENT

Bob Wiseman

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Glen Bowers, Water Programs Field Coordinator
Ann Dimmitt, Water Programs Regulatory Coordinator
Amy Mapes, Administrative Assistant
Kent Miller, General Manager

OTHERS PRESENT

Brad Johnson, Sargent Irrigation
Frank Kwapnioski, NPPD

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Rubenthaler reported that the Nebraska Open Meeting Act requires public bodies to make available at least one current copy of the Open Meeting 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 Meeting Act was in the back of the meeting room and accessible to members of the public.

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Report of Directors Excused – Mr. Rubenthaler 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 will be absent and that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Rubenthaler reported that Mr. Wiseman had notified the office that he would be absent and is therefore excused.

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

Other Announcements – Mr. Rubenthaler reported that the monthly summary report of Natural Resources Conservation Service 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.

PUBLIC FORUM

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

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

Programs Information Reports – Ground Water Program – Ground Water Monitoring – Levels/Quality – Mr. Bowers presented a power point report on ground water levels in the TPNRD.

BOARD OF DIRECTORS MEETING

Minutes for June 4, 2009 Meeting – Mr. Rubenthaler reported that the Minutes for the June 4, 2009 meeting were in the Directors’ packet and he asked if there were any corrections or additions.

Mr. Wahlgren moved that the Minutes of the June 4, 2009 Board of Directors meeting be approved. Mr. Meisner seconded the motion. The motion carried. (Motion #1)

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

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REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service – District Conservationist Report – Mrs. Reece distributed and reviewed a written report 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 Sub-Committee Chairperson, presented a report for the meeting held on July 9, 2009.

Ground Water Management – Variances – Requests – Larry Peterson – Mr. Meismer reported that the TPNRD has received a request for a variance from Larry Peterson. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from Larry Peterson to transfer 15.5 certified irrigated acres from the corners of a pivot on the SW¹/₄ Section 7, Township 12 North, Range 25 West, Dawson County, Nebraska, in the Central Platte Natural Resources District (CPNRD) to the NE¹/₄ Section 12, Township 12 North, Range 26 West, Lincoln County, Nebraska in the TPNRD. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area. Mrs. Dimmitt reported that Mr. Peterson completed all of the paperwork provided by the CPNRD to de-certify, or dry up 18.04 irrigated acres, and transfer those acres across the section/county line into the TPNRD. Mrs. Dimmitt reported that Mr. Peterson meets the TPNRD guidelines of being within one mile on each side of the CPNRD/TPNRD boundary line. Mrs. Dimmitt reported that the stream depletion factor of the 18.04 acres in the CPNRD is 36%, and the stream depletion factor at the new location in the TPNRD is 37.5% and there is a loss of 2.54 acres in the transfer. Mrs. Dimmitt reported that there would be no new depletions to the stream.

Mr. Meismer reported that the Subcommittee discussed that they would like written documentation from the CPNRD that the acres were de-certified and that they would like, if possible, written documentation from the Nebraska Department of Natural Resources that the NE DNR agrees that this transfer would result in no new depletions to the stream.

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Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Larry Peterson to de-certify 18.04 acres located on the SW¼ Section 7, Township 12 North, Range 25 West, Dawson County, Nebraska, in the Central Platte Natural Resources District, and transfer the eligible 15.50 certified irrigated acres to the NE¼ Section 12, Township 12 North, Range 26 West, Lincoln County, Nebraska, in the Twin Platte Natural Resources District, as there would be no new depletions to the stream, subject to Larry Peterson providing the Twin Platte Natural Resources District proof of ownership and subject to written documentation from the Central Platte Natural Resources District that the acres were de-certified. Mr. Wahlgren seconded the motion. The motion carried. (Motion #2)

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

Ground Water Management – Variances – Requests – Dora Thiesing Agricultural Trust –
Mr. Meismer reported that the TPNRD has received a request for a variance from Dora Thiesing Agricultural Trust. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from the Dora Thiesing Agricultural Trust to have their pivot located on the NE¼ Section 23, Township 12 North, Range 28 West, Lincoln County, Nebraska walk all the way around irrigating acres that were not certified. Mrs. Dimmitt reported that by doing this, they are adding 11.55 new irrigated acres under the pivot. Mrs. Dimmitt reported that to offset the increase in irrigated acres Dora Thiesing Agricultural Trust has agreed to dry up 11.55 certified irrigated in the NW¼ and NE¼ corners of Section 23, Township 12 North, Range 28 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that the transfer would be in the same section and therefore the same stream depletion factor. Mrs. Dimmitt reported that there would be no new irrigated acres. Mrs. Dimmitt reported that in the Directors’ Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to the Dora Thiesing Agricultural Trust to transfer 11.55 certified irrigated acres from the NW¼ and NE¼ corners of Section 23, Township 12 North, Range 28 West, Lincoln County, Nebraska for use within the same section, as there would be no new depletions to the stream and no new irrigated acres, subject to the Dora Thiesing Agricultural Trust providing the Twin Platte Natural Resources District proof of ownership. Mr. Schilz seconded the motion. The motion carried. (Motion #3)

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

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Out of Room: Hansen

Ground Water Management – Variances – Requests – Dale and Joyce Margritz – Mr. Meismer reported that the TPNRD has received a request for a variance from Dale and Joyce Margritz. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from Dale & Joyce Margritz to straighten out the edge of a wiper pivot located on the SW¼ Section 18, Township 14 North, Range 30 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that by straightening out the edge of this wiper pivot, it would increase irrigated acres by 0.25 acres in one location, but would also be drying up 0.50 certified irrigated acres in another location. Mrs. Dimmitt reported that the transfer would be in the same section and therefore the same stream depletion factor. Mrs. Dimmitt reported that there would be a decrease of 0.25 certified irrigated acres. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to Dale & Joyce Margritz to transfer 0.25 certified irrigated acres within the SW¼ Section 18, Township 14 North, Range 30 West, Lincoln County, Nebraska, and transfer 0.25 certified irrigated acres in the SW¼ Section 18, Township 14 North, Range 30 West, Lincoln County, Nebraska to the Twin Platte Natural Resources District water bank under Dale & Joyce Margritz name, as there would be no new depletions to the stream, and no new irrigated acres, subject to Dale & Joyce Margritz providing the Twin Platte Natural Resources District proof of ownership. Mr. Weaver seconded the motion. The motion carried. (Motion #4)

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

Ground Water Management – Variances – Requests – Irene Holmstedt – Mr. Meismer reported that the TPNRD has received a request for a variance from Irene Holmstedt. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from Irene Holmstedt to install a wiper pivot located on her 46.54 certified irrigated acres in the center of the S½, Section 27, Township 14 North, Range 34 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that by installing this wiper pivot, it would increase irrigated acres by 3.94 acres due to the wiper pivot traveling across some pasture land that was not previously irrigated. Mrs. Dimmitt reported that to offset for the increase in irrigated acres, Ms. Holmstedt is agreeing to dry up 5.81 certified irrigated acres not irrigated by the wiper pivot that use to be flood irrigated. Mrs. Dimmitt reported that the transfer would be in the same section and therefore the same stream depletion factor. Mrs.

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Dimmitt reported that there would be a decrease of 1.87 certified irrigated acres. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to Irene Holmstedt to transfer 3.94 certified irrigated acres within the S½, Section 27, Township 14 North, Range 34 West, Lincoln County, Nebraska, and transfer 1.87 certified irrigated acres in the S½, Section 27, Township 14 North, Range 34 West, Lincoln County, Nebraska to the Twin Platte Natural Resources District water bank under Irene Holmstedt's name, as there would be no new depletions to the stream, and no new irrigated acres, subject to Irene Holmstedt providing the Twin Platte Natural Resources District proof of ownership. Mr. Margritz seconded the motion. The motion carried. (Motion #5)

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

Ground Water Management – Variances – Requests – Joe Bourge – Mr. Meisner reported that the TPNRD has received a request for a variance from Joe Bourge. Mr. Meisner asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from Joe Bourge to walk his pivot all the way around what previously were trees and a low spot located in the NE¼ Section 15, Township 12 North, Range 28 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that this request would increase his irrigated acres by 6.60 acres. Mrs. Dimmitt reported that Mr. Bourge is in agreement to dry up 7.20 certified irrigated acres from the corner of the NW¼ Section 15, Township 12 North, Range 28 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that the transfer would be in the same section and therefore the same stream depletion factor. Mrs. Dimmitt reported that there would be a decrease of 0.60 certified irrigated acres. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting a variance to Joe Bourge to transfer 6.60 certified irrigated acres from the NW¼ to the NE¼ Section 15, Township 12 North, Range 28 West, Lincoln County, Nebraska, and transfer 0.60 certified irrigated acres in the NW¼ to the NE¼ Section 15, Township 12 North, Range 28 West, Lincoln County, Nebraska to the Twin Platte Natural Resources District water bank under Joe Bourge's name, as there would be no new depletions to the stream, and no new irrigated acres, subject to Joe Bourge providing the Twin Platte Natural Resources District proof of ownership. Mr. Schilz seconded the motion. The motion carried. (Motion #6)

Aye: Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver

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Nay: None
Absent & Excused: Wiseman
Out of Room: Hansen

Ground Water Management – Violations – No report presented.

Ground Water Management – Certified Irrigated Acres – Mr. Meisner asked Mrs. Dimmitt to report on the status for obtaining a required signature on the certification form. Mrs. Dimmitt reported on the status.

Ground Water Management – Aerial Photography - Cornerstone Mapping Agreement for Services – Mr. Meisner reported that in the Directors’ Board meeting packet was a proposed Agreement for Services for Cornerstone Mapping. Mr. Meisner reported that during the summer of 2004, the TPNRD obtained low level infrared aerial photography from Cornerstone Mapping which was used for certifying irrigated acres. Mr. Meisner reported that the TPNRD has been planning to obtain low level infrared aerial photography during the summer of 2009. Mr. Meisner reported that the photography will be used to track and manage transfers and to determine if violations have occurred in regard to no new irrigated acres. Mr. Meisner reported that the 2009 Fiscal Year Budget provided for funding 50% of the cost and those funds were planned to be carried over to the 2010 Fiscal Year Budget and the draft 2010 Fiscal Year Budget provides full funding for the photography.

Mr. Meisner moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the agreement for services with Cornerstone Mapping to provide image acquisition, image processing, and image compression for a project cost of \$81,959.00 and to authorize the General Manager to execute the agreement for the Twin Platte Natural Resources District. Mr. Petersen seconded the motion. The motion carried.
(Motion #7)

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

Integrated Management Plan (IMP) – Timeline - Mr. Meisner reviewed the following timeline for approval of a TPNRD IMP:

Integrated Management Plan (IMP)	
Approval / Implementation	
<u>Task</u>	<u>Dates</u>
Water Subcomm. - IMP	Feb 19
Stakeholder’s Mtg.	Feb. 23

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Water Subcomm. - IMP	Mar. 12
Stakeholder’s Mtg. – Final Recommendation	Mar. 16
Special Bd. Mtg. - IMP	Apr 2
Water Subcomm./Bd. Mtg. - IMP	Apr. 9
Stakeholder’s Mtg. - Final Recommendation (if needed)	Apr. 20
Water Subcomm./Bd. Mtg. – Approve IMP to submit DNR	May 14
Joint NRD/DNR Mtg. (If needed)	May 21 or 28
Exchange Letters – NRD/DNR agreement	May 15 – June 3
Water Subcomm./Bd. Mtg. – Approve IMP for Pub. Hearing	June 4 *
Water Subcomm. – Rules & Reg. Rev.	June 4 *
Publish Legal Notice in NP Telegraph	June 9, 16, 23
Public Hearing - IMP	July 2
Water Subcomm./Bd. Mtg.–Approve IMP to submit to DNR	July 9
Water Subcomm. – Rules & Reg. Rev.	July 9
Exchange Letters – Implement the plan	July 10 – Aug 12
Water Subcomm./Bd. Meeting – Approve IMP & Adopt Order	Aug 13
Water Subcomm./Bd. Mtg.–Approve Rules & Reg. Rev. for Pub. Hearing	Aug 13
<i>Water Subcomm. – Offsets Options</i>	<i>Aug 13</i>
Publish Legal Notice in NP Telegraph	Aug 18, 25, Sept.1
Publish Order in NP Telegraph	Aug 18, 25 ,Sept.1
Public Hearing - Rules & Reg. Rev.	Sept. 10
Water Subcomm./Bd. Meeting – Approve Rules & Reg. Rev.	Sept. 10
<i>Water Subcomm./Bd. Mtg. – Approve Offsets Options</i>	<i>Sept. 10</i>
Effective Date of IMP	Sept. 15
Effective Date for Rules & Reg. Rev.	Sept. 15
<i>Water Subcomm./Bd. Mtg. – Additional Offsets Options</i>	<i>Oc. 8, Nov 12</i>

* Denotes a change in the regularly scheduled Board Meeting dates.

Integrated Management Plan (IMP) – Twin Platte Natural Resources District – Mr. Meismer reported that in the Directors’ Board meeting packet was the TPNRD IMP presented for public hearing on July 2, 2009.

Integrated Management Plan (IMP) – Twin Platte Natural Resources District - Review Transcript of Public Hearing held July 2, 2009 – Mr. Miller reported that in the Directors’ Board meeting notebooks were the transcript for the Public Hearing held on

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July 2, 2009 and copies of the written documents presented prior to the hearing and during the hearing.

Mr. Miller reported that nine of the TPNRD Directors heard the testimony presented during the public hearing and Dale Margritz and Eric Hansen were unable to attend the public hearing. Mr. Miller reported that Mr. Margritz and Mr. Hansen were provided the hearing transcript on July 8, 2009.

Mr. Miller reported that Nebraska Department of Natural Resources personnel, Jennifer Schellpeper and Doug Hallum, and TPNRD personnel, Ann Dimmitt and Kent O. Miller, participated in a conference call on July 8, 2009 to review the TPNRD IMP hearing testimony. Mr. Miller reported that notes of the conference call were in the Directors' Board meeting notebooks. Mr. Miller reported that the participants agreed that overall the IMP achieves what is required by state statutes, that no testimony was provided that points to any missing concepts, and that while the concerns presented in testimony might not be provided for in the manner desired by those testifying, the plan itself accomplished the items that are prescribed by statute and in most cases, does contain provisions that discuss the concepts presented by each testifier. Mr. Miller reported that the participants, therefore, based upon the testimony received at this hearing, recommend approval of the IMP as written.

Integrated Management Plan (IMP) – Twin Platte Natural Resources District - Implementation with or without modifications

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve a motion signifying that the Twin Platte Natural Resources District has reached agreement with the Nebraska Department of Natural Resources to implement the Integrated Management Plan proposed for the Twin Platte Natural Resources District without modifications and to adopt and implement the surface water and ground water controls and incentive programs that are proposed in the Integrated Management Plan. Mr. Schilz seconded the motion. The motion carried. (Motion #8)

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

Integrated Management Plan (IMP) – Twin Platte Natural Resources District - Letter to Nebraska Department of Natural Resources – Mr. Miller reported that in the Directors' Board meeting packet was a draft letter to Brian Dunnigan, Director, Nebraska Department of Natural Resources.

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve the draft letter to send to Brian Dunnigan, Director, Nebraska Department of Natural Resources. Mr. Petersen seconded the motion. The motion carried. (Motion #9)

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

Integrated Management Plan (IMP) – Platte River Basin – Mr. Meismer reported that in the Directors’ Board meeting packet was the Basin-Wide Plan presented for public hearing on July 2, 2009.

Integrated Management Plan (IMP) – Platte River Basin – Review Transcript of Public Hearing held July 2, 2009 – Mr. Miller reported that in the Directors’ Board meeting notebooks were the transcript for the Public Hearing held on July 2, 2009.

Mr. Miller reported that nine of the TPNRD Directors heard the testimony presented during the public hearing and Dale Margritz and Eric Hansen were unable to attend the public hearing. Mr. Miller reported that Mr. Margritz and Mr. Hansen were provided the hearing transcript on July 8, 2009.

Mr. Miller reported that Nebraska Department of Natural Resources personnel, Jennifer Schellpeper and Doug Hallum, and TPNRD personnel, Ann Dimmitt and Kent O. Miller, participated in a conference call on July 8, 2009 to review the Basin IMP hearing testimony. Mr. Miller reported that the participants agreed that overall the IMP achieves what is required by state statutes, that no testimony was provided that points to any missing concepts, and that while the concerns presented in testimony might not be provided for in the manner desired by those testifying, the plan itself accomplished the items that are prescribed by statute and in most cases, does contain provisions that discuss the concepts presented by each testifier. Mr. Miller reported that the participants, therefore, based upon the testimony received at this hearing, recommend approval of the IMP as written.

Integrated Management Plan (IMP) – Platte River Basin – Implementation with or without modifications

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve a motion signifying that the Twin Platte Natural Resources District has reached agreement with the Nebraska Department of Natural Resources to implement the Basin-Wide Plan proposed for the overappropriated portion of the Platte River Basin without modifications. Mr. Schilz seconded the motion. The motion carried. (Motion #10)

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

Integrated Management Plan (IMP) – Platte River Basin – Letter to Nebraska Department

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of Natural Resources – Mr. Miller reported that in the Directors’ Board meeting packet was a draft letter to Brian Dunnigan, Director, Nebraska Department of Natural Resources.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the draft letter to send to Brian Dunnigan, Director, Nebraska Department of Natural Resources. Mr. Schilz seconded the motion. The motion carried. (Motion #11)

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

Integrated Management Plan (IMP) – Rules and Regulations – Mr. Meismer reported that the Subcommittee continued their review of the Rules and Regulations.

Budget - Helicopter Electromagnetic (HEM) Project – Mr. Meismer reported that the staff was working with the North Platte NRD, the South Platte NRD, and the U.S. Geological Survey for a Helicopter Electromagnetic (HEM) Project. Meismer reported that the proposed 2010 Fiscal Year Budget includes funds for the TPNRD to participate in this project. Meismer reported that James C. Cannia, Hydrologist U.S. Geological Survey, will be attending the August 13, 2009 Water Resources Subcommittee meeting and Board meeting to explain HEM and an Nebraska Environmental Trust application being prepared for this project.

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 June 2009 was in the Directors' notebook and available as a handout. Mr. Petersen request additional information be provided on the Financial Statement.

Accounts Payable - Mr. Meismer reported that the Accounts Payable report was in the Directors' notebook and available as a handout, and that he had reviewed the Accounts Payable and found the report to be in order.

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Mr. Meismer moved that the Financial Statement for June 2009 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on July 9, 2009 in the amount of \$29,143.10. Mr. Petersen seconded the motion. The motion carried. (Motion #12)

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

Budget Status – No report presented.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the August 13, 2009 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the August 13, 2009 Board of Directors meeting.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meeting – Mr. Meismer reported on the NARD Board meeting held June 22, 2009.

Nebraska Association of Resources Districts – Annual Conference, September 28-29, 2009, Kearney NE - Schedule – Mr. Meismer reported that the Nebraska Association of Resources Districts annual conference would be held September 28-29, 2009 in Kearney. Mr. Meismer, Mr. Petersen, Mr. Rubenthaler, and Mr. Miller reported that they planned to attend. Mr. Meismer reported that the deadline for submitting resolutions to the Nebraska Association of Resources Districts office for the conference is August 14, 2009. Mr. Meismer reported that any resolutions submitted after that date would need a two-thirds vote for consideration during the conference.

Nebraska Association of Resources Districts – Annual Conference, September 28-29, 2009, Kearney NE - Resolutions – Mr. Miller reported that four Natural Resources District Managers, Ron Bishop – Central Platte NRD, Butch Koehlmoos – Lower Loup NRD, Dan Smith – Middle Republican NRD, and he and four Irrigation District representatives, Brain Barels – NPPD, Tom Knutson – Loup Irrigation District, Don Kraus – CNPPID, and Dennis Strauch – Pathfinder Irrigation District, have been meeting to discuss areas of common interest. One area of common interest is to separate the Nebraska Department of Natural Resources and create a Nebraska Department to Regulate Surface Water and create a Commission to plan, promote, and develop water projects. Mr. Miller presented a proposed resolution for the NARD Annual Conference.

Mr. Weaver moved to approve the following resolution to be presented during the 2009 NARD Annual Conference:

Nebraska Department of Natural Resources

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Submitted by Twin Platte NRD

Whereas, the Nebraska Department of Natural Resources was created by a merger of the Nebraska Natural Resources Commission and the Nebraska Department of Water Resources; and

Whereas, the Nebraska Natural Resources Commission was a planning agency; and

Whereas, the Nebraska Department of Water Resources was a regulatory agency; and

Whereas, the surrounding states of Kansas, Colorado, Wyoming, and South Dakota have separate water planning and water regulatory agencies; and

Whereas, there are water projects needs across the state that are critical to Nebraska in order to protect our economy and/or meet our compact or agreement commitments to other states or groups; and

Whereas, an example is the Platte River Program where Nebraska has an opportunity to benefit from several water action projects designed to increase flows in the Platte River in order to benefit threatened and endangered species as Nebraska has reserved part of the water from several of those projects to meet another of Nebraska's commitments, which is to offset certain depletions to the Platte River; and

Whereas, we have a situation where Nebraska's Director needs to be a project advocate and even better an active participant in planning but that same Department Director must act as an impartial judge in determining whether or not to issue a water right and the necessary permits and must act as an impartial regulator in the enforcement of water rights and priorities; now

Therefore be it resolved that the Nebraska Association of Resources Districts supports a Department to regulate surface water and work with Natural Resources Districts for the integrated management of ground water and a Commission to plan, promote, and develop water projects in cooperation with Natural Resources Districts and other local and regional agencies.

Mr. Wahlgren seconded the motion. The motion carried. (Motion #13)

Aye: Hansen, Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack,
Storer, Wahlgren, Weaver

Nay: None

Absent & Excused: Wiseman

Water Policy Task Force – No report presented.

Sandhills Resources, Conservation & Development Council – Mr. Hansen reported that in the Directors' Board meeting notebooks was the Sandhills Resources, Conservation &

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Development Council 2009 Summer Newsletter.

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs – Nebraska Soil & Water Conservation Program – No report presented.

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board meeting notebook was a report, and that \$9,600.00 was available for new contracts.

Tree Programs – No report presented.

Range Programs – No report presented.

Water Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

Regulatory Programs – No report presented.

Information & Education Programs – No report presented.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.

Hazard Mitigation Plan – No report presented.

Warehouse – Lease – Mr. Miller reported that the most recent 5-year lease for the warehouse expires September 30, 2009. Mr. Miller reported that the monthly rental rate for that lease is \$790.00. Mr. Miller reported that the District subleases half of the warehouse to Pioneer Hi-Bred for \$395.00 per month. Mr. Miller reported that in the Directors' Board meeting packet were a letter from Commercial Investments Services dated June 22, 2009 to allow the TPNRD to extend the lease for 5-year lease with a monthly rental rate of \$806.00. a copy of the current lease with Snell Services, Inc., a copy of the current sublease with Pioneer Hi-Bred, and a draft letter to Pioneer Hi-Bred to allow them to extend the sublease for 5 years. Mr. Miller reported that the staff has contacted Pioneer Hi-Bred, and it is doubtful that they will continue to sublease half of the warehouse. Mr. Miller reported that if Pioneer Hi-Bred chooses not to continue the sublease, that he recommends that the TPNRD continue to rent the warehouse and all the

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Districts trucks and equipment could then be stored inside when not in use.

Mr. Petersen moved to approve extending the current lease with Snell Services, Inc. for five years beginning October 1, 2009 and ending September 30, 2014 for leasing a warehouse located at 605 North Taft Street in North Platte, Nebraska, and authorize the General Manager to sign the extension notice for the Twin Platte Natural Resources District. Mr. Wahlgren seconded the motion. The motion carried. (Motion #14)

Aye: Hansen, Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver

Nay: None

Absent & Excused: Wiseman

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’ packet.

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

BUDGET FOR 2010 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that in the Director’s packet was a schedule for preparing the 2010 Fiscal Year Budget for the District. Mr. Miller reported that the schedule provides for Board review of the first draft of the Budget during the June Board meeting and provides the Board four opportunities to review and discuss the Budget prior to final approval.

Review Draft #2 – Mr. Miller reported that in the Director’s notebook and available as a handout was the second draft of a budget for the 2010 Fiscal Year. Mr. Miller reviewed the information for the proposed budget for the 2010 Fiscal Year.

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Rubenthaler reported that the next Board of Directors meeting would be held on Thursday, August 13, 2009 at 7:30 pm CDT (6:30 pm MDT) at the TierOne Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

ADJOURNMENT

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The meeting adjourned at 9:16 pm CDT (8:16 pm MDT).

Jerry Weaver, Secretary