

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
March 8, 2011

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the Great Western Bank Meeting Room, Second Floor, 111 South Dewey Street, North Platte, Nebraska on March 8, 2011. Mr. Schilz called the meeting to order at 3:21 pm CST (2:21 pm 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

James Meisner  
Robert L Petersen  
Bob Peterson  
Dennis Schilz  
Douglas L Stack  
Jerry Weaver  
John W Williams  
Robert Wiseman

BOARD MEMBERS ABSENT

Eric S Hansen  
Shane Storer  
Joe S Wahlgren

NRCS PERSONNEL PRESENT

Mary Reece

STAFF PRESENT

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

OTHERS PRESENT

Jason Bode  
Bart Nichols, Sargent Irrigation

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Schilz 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. Schilz reported that the current Open Meeting Act was in the back of the meeting room and accessible to members of the public.

Report of Directors Excused – Mr. Schilz 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

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will reflect whether an absent Director is excused or unexcused. Mr. Schilz reported that Mr. Storer and Mr. Wahlgren notified the office they would be absent and are therefore excused.

Distribution of Information – Mr. Schilz reported that the agenda was available for the public in the back of the meeting room.

Other Announcements – Mr. Schilz reported that the monthly summary report of Natural Resources Conservation Service conservation plans was available for information.

PUBLIC FORUM

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

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No reports presented.

BOARD OF DIRECTORS MINUTES

Minutes for February 10, 2011 Meeting – Mr. Schilz reported that the Minutes for the February 10, 2011 Board of Directors meeting were available for the Directors' and he asked if there were any corrections or additions for the minutes.

Mr. Petersen moved that the Minutes of the February 10, 2011 Board of Directors meeting be approved. Mr. Stack seconded the motion. The motion carried. (Motion #1)

Aye: Meismer, Petersen, Peterson, Schilz, Stack, Weaver, Williams,  
Wiseman

Nay: None

Absent & Excused: Storer, Wahlgren

Absent & Unexcused: Hansen

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mrs. Reece distributed and reviewed a report.

SUBCOMMITTEE MEETINGS REPORT

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Land Resources SubCommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources SubCommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the Water Resources Subcommittee meeting held on March 8, 2011.

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

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Duane Sukraw to de-certify and transfer 1.49 certified ground water irrigated acres from the SE¼ Section 23, Township 11 North, Range 26 West, Lincoln County, Nebraska, and to transfer 1.72 certified ground water irrigated acres from the NW¼ Section 26, Township 11 North, Range 26 West, Lincoln County, Nebraska, to be relocated in the SE¼ Section 23, Township 11 North, Range 26 West, Lincoln County, Nebraska. Mr. Stack seconded the motion. The motion carried. (Motion #2)

Aye: Meismer, Petersen, Peterson, Schilz, Stack, Weaver, Williams,  
Wiseman  
Nay: None  
Absent & Excused: Storer, Wahlgren  
Absent & Unexcused: Hansen

Ground Water Management – Variances – Cort DeLuna & Rob Jehorek – Mr. Meismer reported that the TPNRD has received a request for a variance from Cort DeLuna & Rob Jehorek. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Cort DeLuna & Rob Jehorek to decertify and transfer 14.01 certified ground water irrigated acres from the W½ Section 3, Township 13 North, Range 39 West, Keith County, Nebraska, to be relocated in the same Section 3, Township 13 North, Range 39 West, Keith County, Nebraska. Mr. Stack seconded the motion. The motion carried. (Motion #3)

Aye: Meismer, Petersen, Peterson, Schilz, Stack, Weaver, Williams,  
Wiseman  
Nay: None  
Absent & Excused: Storer, Wahlgren  
Absent & Unexcused: Hansen

Ground Water Management – Variances – Josh Bode #1 – Mr. Meismer reported that the TPNRD has received a request for a variance from Josh Bode. Mr. Meismer asked Mrs. Dimmitt to report on the request.

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Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Josh Bode to de-certify and transfer 64.4 certified ground water irrigated acres from the SE¼ Section 15, Township 13 North, Range 39 West, Keith County, Nebraska, to be relocated in the SE¼ Section 15, Township 13 North, Range 33 West, Lincoln County, Nebraska. Mr. Stack second the motion. The motion carried. (Motion #4)

Aye: Meismer, Petersen, Schilz, Stack, Williams, Wiseman  
Nay: Peterson  
Absent & Excused: Storer, Wahlgren  
Abstain: Weaver  
Absent & Unexcused: Hansen

Ground Water Management – Variances – Josh Bode #2 – Mr. Meismer reported that the TPNRD has received a second request for a variance from Josh Bode. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Josh Bode to drill a new irrigation well in the E½ Section 15 Township 13 North, Range 33 West, Lincoln County. Mr. Wiseman seconded the motion. The motion carried. (Motion #5)

Aye: Meismer, Petersen, Schilz, Stack, Williams, Wiseman  
Nay: Peterson  
Abstain: Weaver  
Absent & Excused: Storer, Wahlgren  
Absent & Unexcused: Hansen

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

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Kyle Hulinsky to de-certify and transfer 1.05 certified ground water irrigated acres from the NW ¼ Section 19, Township 13 North, Range 40 West, Keith County, Nebraska, to be relocated in the same Section 19, Township 13 North, Range 39 West, Keith County, Nebraska. Mr. Stack seconded the motion. The motion carried. (Motion #6)

Aye: Meismer, Petersen, Schilz, Stack, Weaver, Williams, Wiseman  
Nay: Peterson  
Absent & Excused: Storer, Wahlgren  
Absent & Unexcused: Hansen

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

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Mr. Meisner moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Tom Jehorek to modify his certified irrigated acres in the SE¼ Section 26, Township 13 North, Range 40 West, Keith County. Mr. Stack seconded the motion. The motion carried. (Motion #7)

Aye: Meisner, Petersen, Peterson, Schilz, Stack, Weaver, Williams,  
Wiseman

Nay: None

Absent & Excused: Storer, Wahlgren

Absent & Unexcused: Hansen

Ground Water Management – Violations – No report presented.

Water Use Demonstrations - Paulman Farms Water Conservation Project – Mr. Meisner reported that the Board of Directors on February 10, 2011 approved providing for the Paulman Farms Water Conservation Project, \$6,000.00 of the currently remaining Nebraska Soil & Water Conservation Program (NSWCP) funds and all of any remaining NSWCP funds that may be available on February 24, 2011 to be used for Practice NC-17 Irrigation Water Management for soil moisture sensors and data readers and to waive the requirement that two sets of soil moisture sensors and data readers are allowed per year per landowner. Mr. Meisner reported that the funds that were reserved for Practice NC-17 Irrigation Water Management for soil moisture sensors and data readers, could not be used as intended, as the Paulman Farms Water Conservation Project will be leasing the equipment annually and the TPNRD cannot guarantee that the equipment will be in place for 10 years as required in the NSWCP.

Integrated Management Plan – CNPPID vs. TPNRD – Mr. Meisner reported that District Judge, John P. Murphy, in the District Court of Lincoln County, Nebraska, has dismissed the Central Nebraska Public Power and Irrigation District litigation filed against the TPNRD.

Integrated Management Plan – Offset Water – Ground Water Recharge – Spring 2011 High Flows – Mr. Meisner reported that the Water Resources Subcommittee recommends that the Board of Directors discuss legal issues in a closed executive session in regard to the TPNRD entering into agreements with the Platte Valley, Paxton-Hershey, Suburban, and Keith-Lincoln Irrigation Districts on the North Platte River and the Western Irrigation District on the South Platte River and the Nebraska Department of Natural Resources, for the irrigation districts to divert some of the current high river flows into the irrigation districts canals and the TPNRD using the water that seeps into the ground for offset water for river flows required by the TPNRD Integrated Management Plan.

Mr. Schilz reported that the closed executive session would be at the end of the Board meeting.

SUBCOMMITTEE MEETINGS REPORT  
Wildlife Habitat & Urban Affairs Subcommittee

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No report presented.

SUBCOMMITTEE MEETINGS REPORT

Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for February 2011 was available for the Directors’.

Accounts Payable - Mr. Meismer reported that the Accounts Payable report was available for the Directors’ and that he had reviewed the Accounts Payable and found the report to be in order.

Mr. Meismer moved that the Financial Statement for February 2011 be received and placed on file for audit and to approve payment of the invoices presented on March 8, 2011 in the amount of \$26,230.22. Mr. Petersen seconded the motion. The motion carried. (Motion #8)

Aye: Meismer, Petersen, Peterson, Schilz, Weaver, Williams, Wiseman

Nay: None

Out of Room: Stack

Absent & Excused: Storer, Wahlgren

Absent & Unexcused: Hansen

Budget Status – Mr. Meismer reported that the Budget Status report was available for the Directors’.

Bids/Proposals Scheduled to be Presented for Consideration during the April 14, 2011 Board of Directors Meeting – Mr. Miller reported that the District Policy provides that “The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration”. Mr. Miller reported that no bids/proposals would be presented for the April 14, 2011 Board of Directors meeting.

POLICIES

Operating Policy Number 14: Board of Directors Compensation and Expenses – Review – Mr. Schilz reported that the TPNRD Operating Policy Number 14: Board of Directors Compensation and Expenses was available for the Directors’ for information.

DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors Meeting – Mr. Meismer reported on the NARD Board of Directors meeting held on March 7, 2011.

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

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Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported on the following TPNRD guidelines for the Nebraska Soil & Water Conservation Program (NSWCP):

- Funding adjustments shall go back to the reserved category established by the Board of Directors that the funds come from.
- Applications will be considered in the order the producers sign them.
- From July 1 – January 30, applications shall be considered for funding only when funds are available to fully fund the contract.
- From January 31 – June 30, the funds from each reserved category shall be merged and applications on file shall be considered for funding in the order they are signed by the producer, and only one application may be approved for partial funding at any time.
- On June 30, all applications not approved by the Board of Directors shall be canceled.

Mr. Miller reported that the monthly report was available for the Directors’.

Mr. Miller reported that \$11,360.34 was available for funding additional contracts following the February 10, 2011 Board meeting. Mr. Miller reported that any un-obligated funds on March 1, 2011 are required to be returned to the Nebraska Department of Natural Resources for re-distribution to the NRD’s. Mr. Miller reported that TPNRD procedure has been for the General Manager to approve contracts received following the February Board meeting in the order they are signed by the producer and received in the office prior to March 1, 2011 for any eligible practices available for cost share within the TPNRD up to and not to exceed the funds available. Mr. Miller reported that 10 contracts totaling \$9,212.85 was approved following the February 10, 2011 Board meeting and prior to March 1, 2011 and \$2,147.49 was returned to the Nebraska Department of Natural Resources. Mr. Miller reported that currently there are no funds available to fund new contracts.

Mr. Petersen moved to approve the February 28, 2011 report 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>
11.043	NC-12	Trees	\$ 553.50	\$ 553.50
11.044	NC-17	Irrigation Water Mgt	\$ 600.00	\$ 600.00
11.045	NC-17	Irrigation Water Mgt	\$ 600.00	\$ 600.00
11.046	NC-12	Trees	\$ 1,107.00	\$ 1,107.00
11.047	NC-12	Trees	\$ 885.60	\$ 885.60
11.048	NC-17	CANCELED	\$ 0.00	\$ 0.00
11.049	NC-12	Trees	\$ 1,051.65	\$ 1,051.65

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11.050	NC-17	Irrigation Water Mgt	\$ 1,370.85	\$ 1,370.85
11.051	NC-12	Trees	\$ 830.25	\$ 830.25
11.052	NC-12	Trees	\$ 1,107.00	\$ 1,107.00
11.053	NC-12	Trees	\$ 1,107.00	\$ 1,107.00
Total Amount of New Contracts				\$ 9,212.85

FUNDS AVAILABLE: \$ 0.00

Mr. Williams seconded the motion. The motion carried. (Motion #9)

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that a report was available for the Directors’ and \$3,797.63 was available for new contracts.

Tree Programs – No report presented.

Range Programs - Ranch Practicum – Mr. Miller reported that the Nebraska Ranch Practicum is conducted at the University of Nebraska West Central Research and Extension Center and at the Gudmunsen Sandhills Lab, both of which are located within the TPNRD, and that the TPNRD has provided scholarships for ranchers within the TPNRD since 1999.

Mr. Meismer moved to authorize up to four - \$175 scholarships for the 2011 Nebraska Ranch Practicum. Mr. Wiseman seconded the motion. The motion carried. (Motion #10)

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

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 – Mr. Miller reported on the Ranch Practicum

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.



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Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – No requests presented.

Legislature – Mr. Miller presented a report.

Meetings and Dates of Interest – Mr. Miller reported that various items of information were available for the Directors’.

Miscellaneous Information – Mr. Miller reported that various items of information were available for the Directors’.

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported that the next Board of Directors meeting would be held on Thursday, April 14, 2011 at 7:30 pm CDT (6:30 pm MDT) at the Great Western Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

SUBCOMMITTEE MEETINGS REPORT  
Water Resources SubCommittee (Continued)

Integrated Management Plan – Offset Water – Ground Water Recharge – Spring 2011 High Flows –

Mr. Meismer moved that the Board of Directors go into Executive Session to discuss legal matters related to the TPNRD entering into agreements with the Platte Valley, Paxton-Hershey, Suburban, and Keith-Lincoln Irrigation Districts on the North Platte River and the Western Irrigation District on the South Platte River and the Nebraska Department of Natural Resources, for the irrigation districts to divert some of the current high river flows into the irrigation districts canals and the TPNRD using the water that seeps into the ground for offset water for river flows required by the TPNRD Integrated Management Plan. Mr. Petersen seconded the motion. The motion carried. (Motion #11)

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

Mr. Schilz reported that the Board of Directors was going into Executive Session to discuss legal matters related to the TPNRD entering into agreements with the Platte Valley, Paxton-

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Hershey, Suburban, and Keith-Lincoln Irrigation Districts on the North Platte River and the Western Irrigation District on the South Platte River and the Nebraska Department of Natural Resources, for the irrigation districts to divert some of the current high river flows into the irrigation districts canals and the TPNRD using the water that seeps into the ground for offset water for river flows required by the TPNRD Integrated Management Plan.

The Board of Directors went into Executive Session at 4:47 pm CST.

Mr. Schilz opened the Board meeting room at 5:07 pm CST (4:07 pm MST).

Mr. Petersen moved that the Board of Directors return to Regular Session. Mr. Meismer seconded the motion. The motion carried. (Motion #12)

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

Mr. Petersen moved to approve the TPNRD entering into agreements with the Platte Valley, Paxton-Hershey, Suburban, and Keith-Lincoln Irrigation Districts on the North Platte River and the Western Irrigation District on the South Platte River and the Nebraska Department of Natural Resources for the irrigation districts to divert some of the current high river flows into the irrigation districts canals and the TPNRD using the water that seeps into the ground for offset water for river flows required by the TPNRD Integrated Management Plan and to authorize the General Manager to execute the agreements. Mr. Meismer seconded the motion. The motion carried. (Motion #13)

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

ADJOURNMENT

The meeting adjourned at 5:10 pm CST (4:10 pm MST).

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Jerry Weaver, Secretary

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