

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
July 14, 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 July 14, 2011. Mr. Schilz called the meeting to order at 7:31 pm. 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 S Hansen  
James Meisner  
Robert L Petersen  
Bob Peterson  
Dennis Schilz  
Douglas L Stack  
Shane Storer  
Jerry Weaver

BOARD MEMBERS ABSENT

Joe Wahlgren  
John W Williams  
Robert Wiseman

NRCS PERSONNEL PRESENT

Tim Kinoshita  
Jeff Nichols

STAFF PRESENT

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

OTHERS PRESENT

Brad Johnson, Sargent Irrigation  
Bart Nichols, Sargent Irrigation  
Jeff Shafer, NPPD

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

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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. Schilz reported that Mr. Wahlgren, Mr. Williams, and Mr. Wiseman notified the office they would be absent and are therefore excused.

Information Packet and Notebook available for the Public – Mr. Schilz reported that on the shelf in the back of the room is a copy of the Board Meeting Notebook and the Board Meeting Information Packet that each Board member has that are available for viewing by the public attending the Board of Directors meeting.

Other Announcements – None presented.

PUBLIC FORUM

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

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

None presented.

BOARD OF DIRECTORS MEETINGS

Minutes for June 9, 2011 Meeting – Mr. Schilz reported that the Minutes for the June 9, 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 June 9, 2011 Board of Directors meeting be approved. Mr. Meisner seconded the motion. The motion carried. (Motion #1)

Aye: Hansen, Meisner, Petersen, Peterson, Schilz, Stack, Storer, Weaver

Nay: None

Absent & Excused: Wahlgren, Williams, Wiseman

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mr. Nichols 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 Chairman, presented a report for the Subcommittee meeting held on July 14, 2011.

Brule Watershed – Maintenance - Mr. Meismer reported that during the Nebraska Department of Natural Resources inspection of the Brule Watershed Dam Structure, there appeared to be some holes connected by longitudinal cracks near the top of the dam on the upstream side. Mr. Meismer reported that they saw no extruded material (critter's diggings) and the holes were not round and that some cracking was 1"-3" wide and appeared on about one-third to one-half of the dam length. Mr. Meismer reported that Mr. Miller then requested the Natural Resources Conservation Service (NRCS) State Office to do an in depth analysis of the Brule Watershed Dam Structure due to a concern that there may be structural issues. Mr. Meismer reported that geologists from the NRCS State Office have inspected the Dam Structure and will be providing a report to the TPNRD. Mr. Meismer reported that a preliminary analysis is that a fix might be just to pour a slurry of sand/water into the voids since the cracks didn't appear to run perpendicular (thru) to the dam, and were located fairly high on the structure. Mr. Meismer reported that the NRCS geologist didn't think the integrity was compromised.

Ground Water Management – Variances – Barry and Lanny Stauffer – Mr. Meismer reported that the TPNRD received a request for a variance from Barry and Lanny Stauffer. 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 Barry & Lanny Stauffer to de-certify and transfer 50.35 certified ground water irrigated acres from the NE¼ Section 32, Township 13 North, Range 41 West, Keith County, Nebraska, to be relocated in SE¼ Section 15, Township 13 North, Range 39 West, Keith County, Nebraska. Mr. Weaver seconded the motion. The motion carried. (Motion #2)

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

Ground Water Management – Variances – Chuck Flaming (Sadle Cattle Co) – Mr. Meismer reported that the TPNRD received a request for a variance from Chuck Flaming (Sadle Cattle Co). 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 Chuck Flaming (Sadle Cattle Co) to de-certify

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and transfer 35.0 certified ground water irrigated acres from two locations: 6.2 acres from the NE¼ Section 24, Township 14 North, Range 36 West, Keith County, Nebraska, and 28.8 acres from the SE¼ Section 24, Township 14 North, Range 36 West, Keith County, to be relocated in W½NE¼ Section 26, Township 14 North, Range 36 West, Keith County, Nebraska. Mr. Weaver seconded the motion. The motion carried. (Motion #3)

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

Ground Water Management – Variances – Steve Scholz – Mr. Meismer reported that the TPNRD received a request for a variance from Steve Scholz. 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 Steve Scholz to drill a new irrigation well in the SE¼ Section 12, Township 16 North, Range 29 West, Lincoln County, Nebraska, to grant a variance to change the use of the original irrigation well to that of a 400 gpm livestock well, and to transfer 79.89 certified irrigated acres from the NE¼ Section 11, Township 16 North, Range 29 West, Lincoln County, Nebraska to the SE¼ Section 12, Township 16 North, Range 29 West, Lincoln County, Nebraska. Mr. Weaver seconded the motion. The motion carried. (Motion #4)

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

Ground Water Management – Variances – Harry Haythorn – Mr. Meismer reported that the TPNRD received a request for a variance from Harry Haythorn. 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 Harry Haythorn to de-certify and transfer 105.94 certified ground water irrigated acres from the S½S½ Section 14, Township 14 North, Range 28 West, Lincoln County, and the N½N½ Section 23, Township 14 North, Range 28 West, Lincoln County, Nebraska to be relocated into the TPNRD Water Bank under Craig Smith’s name at this time. Mr. Weaver seconded the motion. The motion carried. (Motion #5)

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

Ground Water Management – Violations – No report presented.

Integrated Management Plan – Offset Water - Irrigation Districts Agreements for Ground Water Recharge (2011) – Mr. Meismer reported that the Board of Directors on March 8, 2011 authorized agreements with the Platte Valley, Paxton-Hershey, Suburban, and Keith-Lincoln Irrigation Districts on the North Platte River and the Western Irrigation District on

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the South Platte River and the Nebraska Department of Natural Resources (DNR) for the irrigation districts to divert some of the 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 IMP. Mr. Meisner reported that a spreadsheet prepared by the Nebraska Department of Natural Resources (NE DNR) documenting the NRDs in the Platte Basin agreements with Irrigation Districts was available for the Directors'. Mr. Meisner reported that this spreadsheet was the basis for making payments to the irrigation districts. Mr. Meisner reported that this data is not considered final for purposes of calculating total amounts diverted, recharge or net benefit to the river. Mr. Meisner reported that in regards to the data for use in calculating net benefits, the NE DNR is assembling data and preparing a report on the diversions, spills, losses and distribution of the 2011 canal diversions. Mr. Meisner reported that the report will be provided to the NRDs and used in concert with available conjunctive management models to estimate the net benefits to the North Platte, South Platte and Platte River reaches as determined under the respective conjunctive management studies.

Integrated Management Plan – Litigation – CPNRD – Mr. Meisner reported that Ron Bishop, General Manager, Central Platte Natural Resources District, reported to the Water Resources Subcommittee on litigation filed against the CPNRD for denying the use of a well for non-certified irrigated acres.

Integrated Management Plan – Basin Plan – Mr. Meisner reported that the Annual Meeting Related to the Basin-Wide Plan for Joint Integrated Water Resources Management of over appropriated Portions of the Platte River Basin will be held on July 21, 2011 at the CPNRD offices in Grand Island, Nebraska. Mr. Meisner reported that the annual report for each NRD in the basin was available for the Directors'.

Legislature - Legislative Resolution 314 – Mr. Meisner reported on the status of the Legislative Resolution 314 interim study.

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 June 2011 was available for the Directors'.

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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 June 2011 be received and placed on file for audit and to approve payment of the invoices presented on July 14, 2011 in the amount of \$63,781.47. Mr. Petersen seconded the motion. The motion carried. (Motion #6)

Aye: Hansen, Meismer, Petersen, Peterson, Schilz, Stack, Storer, Weaver

Nay: None

Absent & Excused: Wahlgren, Williams, Wiseman

Budget Status – No report presented.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the August 11, 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 August 11, 2011 Board of Directors meeting.

#### DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors – No report presented.

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

Requests for Authorization to Travel – No requests were presented.

#### DISTRICT REPORT

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

Cost-Share Programs – District Conservation Programs – No report presented.

Tree Program – 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.

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Regulatory Programs – No report presented.

Information & Education Programs – Mr. Miller reported that the TPNRD provided five scholarships for the University of Nebraska Ranch Practicum in 2011, three scholarships for the NRDs ACE Youth Camp held at Halsey National Forest in 2011, and three scholarships for the Range Youth Camp held at Halsey National Forest in 2011. Mr. Miller reported that a list of scholarship recipients was available for the Directors’.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.

Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – No requests presented.

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’.

BUDGET FOR 2012 FISCAL YEAR

Preparation Schedule - Mr. Miller reported that a schedule for preparing the 2012 Fiscal Year Budget for the TPNRD was available for the Directors’. Mr. Miller reported that the schedule provides the Board four opportunities to review and discuss the Budget prior to final approval.

Review Draft #2 – Mr. Miller reviewed the second draft of a budget for the 2012 Fiscal Year which was available for the Directors’.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 8:06 pm.

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Jerry Weaver, Secretary