

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
January 14, 2016

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 January 14, 2016. Mr. Schilz called the meeting to order at 3:06 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

James Meisner
Judy Pederson
Dennis Schilz
Shane Storer
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Eric S Hansen
Dale Margritz
Robert L Petersen
Douglas L Stack

NRCS PERSONNEL PRESENT

Miles Anderson, Range Technician
Mary Reece, District Conservationist

STAFF PRESENT

Bill Carhart, Grasslands Stewardship Coordinator
Ann Dimmitt, IMP Manager
Amy Mapes, Administrative Assistant
Kent O Miller, General Manager

OTHERS PRESENT

Robert Meyer, RJ Meyer & Associates
Jeff Shafer, NPPD
Kyle Storer
Mike Wheeler, 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 which may be 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 on the wall in the front of the meeting room which is 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 will reflect whether an absent Director is excused or unexcused. Mr. Schilz reported that Mr. Hansen, Mr. Margritz, Mr. Petersen, and Mr. Stack notified the office that they would be absent and are therefore excused.

Information Packet and Notebook available for the Public – Mr. Schilz reported that on the table along the north wall of the meeting room is a notebook containing information that each Board member has electronically. Mr. Schilz reported that the notebook is available for viewing by the public attending the Board of Directors meeting. Mr. Schilz reported that this information is also available on the TPNRD website and that internet access is available in the room.

Other Announcements – None presented.

PUBLIC FORUM

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

REQUESTS FOR ASSISTANCE

None presented.

AUDIT

2015 Fiscal Year – Mr. Miller reported that the Audit for the TPNRD 2015 Fiscal Year was available to each member of the Board of Directors prior to the Board meeting. Mr. Miller reported that Bob Meyer prepared the Audit and that he was present. Mr. Meyer reviewed the Audit and answered questions from the Board members.

Mr. Meismer moved that the Audit for the 2015 Fiscal Year be received. Mr. Wahlgren seconded the motion. The motion carried. (Motion #1)

Aye: Meismer, Pederson, Schilz, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen, Margritz, Petersen, Stack

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mary Reece reported that information was available for the Directors’ and she presented a report.

GENERAL INFORMATION

Conservation Programs - Prescribed Burning – Mr. Carhart presented a report on the Prescribed Burn Task Force activities.

BOARD OF DIRECTORS MEETINGS

Minutes for the December 8, 2015 Meeting – Mr. Schilz reported that the Minutes for the December 8, 2015 Board of Directors meeting were available for the Directors’ and he asked if there were any corrections or additions.

Mr. Wiseman moved that the Minutes of the December 8, 2015 Board of Directors meeting be approved. Mrs. Pederson seconded the motion. The motion carried. (Motion #2)

Aye: Meismer, Pederson, Schilz, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen, Margritz, Petersen, Stack

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for December 2015 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 December 2015 be received and placed on file for audit and to approve payment of the invoices presented on January 14, 2016 in the amount of \$60,994.82. Mrs. Pederson seconded the motion. The motion carried. (Motion #3)

Aye: Meismer, Pederson, Schilz, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen, Margritz, Petersen, Stack

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

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the February 18, 2016 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 February 18, 2016 Board of Directors meeting.

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 January 14, 2016.

Variances – Mrs. Dimmitt reported on variance request TP-DW-16.01.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve variance TP-DW-16.01. Mr. Wahlgren seconded the motion. The motion carried. (Motion #4)

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

Violations – No report presented.

Offset Water – Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – North Pipeline – NPPD Agreement – Mr. Meismer reported that available for the Directors’ was a draft agreement to use a portion of the Nebraska Public Power District (NPPD) Sutherland Project facilities to deliver and/or store the water pumped from the NCORPE Project. Mr. Meismer reported that the draft agreement has been reviewed by the TPNRD legal counsel.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the Nebraska Public Power District Agreement to deliver water for the TPNRD and authorize the General Manager to execute the agreement for the TPNRD. Mr. Wiseman seconded the motion. The motion carried. (Motion #5)

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

Offset Water – Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – North Pipeline – Financing – Mr. Miller reported on the Nebraska Water Resources Cash from which the TPNRD received \$922,500.00 for the purchase of the NCORPE land and that the TPNRD has been approved to receive \$2,595,106.00 for the construction of the NCORPE north pipeline.

Mr. Miller reported that there currently are no funds available in the State Revolving Fund (SRF) that could be used for building the NCORPE north pipeline and that is not expected to

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change in the next several years. Mr. Miller reported that there are new ammonia regulations for community water systems and the SRF is fully committed to communities for several years. Mr. Miller reported that he met with Jim Macy, NE DEQ Director, on March 23, 2015, December 15, 2015, and January 4, 2016 to determine if funds were available in the SRF. Mr. Miller reported that NE DEQ first approached the TPNRD in 2013 proposing to use funds from the SRF for the north pipeline. Mr. Miller reported that funds were available at that time, the TPNRD completed an application, and DEQ approved the TPNRD using those funds for the north pipeline. Mr. Miller reported that after the funds were approved, the legal counsel for DEQ determined that DEQ did not have the statutory authority to use the SRF for the north pipeline. Mr. Miller reported that DEQ then withdrew the funds that they had designated for the north pipeline. Mr. Miller reported that Senator Ken Schilz then agreed to introduce legislation, LB 174, that would provide the statutory authority to allow the TPNRD to use funds from the SRF for the north pipeline. Mr. Miller reported that since the TPNRD desires to build the north pipeline in 2016, and SRF funds will not be available, he had notified Senator Schilz that the TPNRD does not now need the statutory change proposed in LB 174 and that he could suspend seeking approval of LB 174 from the Legislature.

Mr. Meismer reported that the Water Resources Subcommittee would be discussing funding options for construction of the North Pipeline.

Offset Water – Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Well Field Operations – Mr. Meismer reported that several Board members, following the November 12, 2015 TPNRD Board meeting, requested information be provided to the Board in regard to the Republican River Compact and agreements with Kansas, issues remaining with Kansas, and how Nebraska's flow requirements are determined. Mr. Meismer reported that Jesse Bradley, NE DNR, will report to the TPNRD Board on March 10, 2016. (*Later rescheduled for February 18, 2016.*)

Offset Water – Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Ground Water Levels – Mr. Meismer reported that available for the Directors' was an aerial photo of the NCORPE property showing the locations of ground water monitoring wells, and graphs for the monitoring wells.

Offset Water - N-CORPE Project – Sponsors Meetings – Mr. Weaver reported that the next N-CORPE sponsors meeting will be held February 17, 2016 at 10 am in Curtis, Nebraska.

Offset Water – Irrigation Districts – Instream Flows – Mrs. Dimmitt reported that Platte Valley Irrigation District sustained extensive damage to a portion of their canal along the South Platte River during the high water in the South Platte River in 2015 and they are unable to deliver water to 480 acres. Mrs. Dimmitt reported that the estimate to repair the damage is over \$600,000.00. Mrs. Dimmitt reported that Platte Valley would like to suspend delivery of water to the 480 acres if the TPNRD would allow the 480 acres to be irrigated only with ground water. Mrs. Dimmitt reported that Platte Valley is willing to divert the canal flows previously used for irrigation of the 480 acres into the South Platte River.

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Mr. Meisner reported that the Subcommittee discussed if there would be any benefit to the TPNRD and agreed that there most likely would be no benefits to the TPNRD, and there would most likely be no new depletions that would cause harm to the TPNRD. Mr. Meisner reported that the Subcommittee agreed that the TPNRD would allow the 480 acres to be irrigated with ground water only provided that Platte Valley agreed to divert the canal flows previously used for irrigation of the 480 acres into the South Platte River and that Platte Valley would measure and maintain records of the flows diverted into the South Platte River.

Offset Water – Irrigation Districts – Excess Flows Water Rights – No report presented.

Nebraska Water Resources Association - TPNRD Membership – Mr. Meisner reported that available for the Directors’ was a Nebraska Water Resources Association (NWRA) letter, December 21, 2015, inviting membership and a NWRA Membership Form. Mr. Meisner reported that the TPNRD discontinued membership in the NWRA several years ago due to a substantial increase in membership dues for the TPNRD. Mr. Meisner reported that the Subcommittee agreed that they were not interested in the TPNRD becoming a member of NWRA.

Subcommittee Priorities – Mr. Meisner reported that the following is the current list of the Subcommittee priorities for offset water.

- 1 Irrigation Districts in TPNRD
- 2 N-CORPE Project
- 3 CPNRD Agreement
- 4 J-2 Project
5. Non-Irrigated Certified Acres
- 6 Conservation tillage measures
- 7 South Platte River Compact Coalition

TPNRD Ground Water Management Plan – No report presented.

Platte Basin Over-Appropriated Plan – Mr. Meisner reported that discussions have begun between the NRDs in the Platte Basin and NE DNR for reviewing, and revisions as needed, for the Platte Basin Over-Appropriated Plan, required to be completed by August 2019. Mr. Meisner reported that the Subcommittee agreed to select Mr. Wahlgren to be the TPNRD representative and Mr. Meisner to be the TPNRD alternate representative.

TPNRD Integrated Management Plan – Mr. Meisner reported that reviewing, and revisions as needed, for the TPNRD Integrated Management Plan, required to be completed by August 2019, would need to begin in late 2017 or early 2018.

Data - Mr. Miller reported that an application, approved by the TPNRD Board on July 11, 2013, has been submitted to the NE Environmental Trust (NET) by the CPNRD and the TPNRD in 2013, 2014, and 2015 for a project titled “Advanced Hydrogeologic Frameworks

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for Aquifer Management in Critical Sections of the Platte River Basin”. Mr. Miller reported that NET, last week, approved the application for full funding of \$760,000.00 (70%) over two years. Mr. Miller reported that the project is a combination of geophysical, geologic, remote sensing, and geographic information system (GIS) technologies applied to construct a hydrogeologic framework of the Platte River basin area within the TPNRD and the CPNRD. Mr. Miller reported that in the TPNRD, the project will include the North Platte River valley, the South Platte River valley, and the Platte River valley, and the NCORPE Project area. Mr. Miller reported that the NCORPE area will include a dense flight block of AEM flight lines centered on the core area of water well production. Mr. Miller reported that the new framework geology will provide aquifer material information on a finer scale than now exist and supports base inputs to water management planning and modeling. Mr. Miller reported that available for the Directors’ was a map showing project flight lines.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts (NARD) – Legislative Conference, January 26-27, 2016 – Mr. Meismer reported that the NARD annual Legislative Conference will be held January 26-27, 2016 in Lincoln, Nebraska. Mr. Meismer reported that information was available for the Directors’.

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

Sandhills Task Force – No report presented.

Board of Director’s Elections 2016 – Mr. Schilz reported that various items of information were available for the Directors’. Mr. Schilz reported that the deadline for Incumbents filing for re-election is February 16, 2016 and the deadline for Non-Incumbents filing for election is March 1, 2016.

Requests for Authorization to Travel – No requests presented.

DISTRICT REPORT

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Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported that the monthly report was available for the Directors’. Mr. Miller reported that \$37,721.30 was available. Mr. Miller reported that there were 14 new applications to present.

Mr. Wiseman moved to approve the January 14, 2016 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>
16.012	NC-12	Trees	\$ 609.30	\$ 609.30
16.013	NC-12	Trees	\$ 812.40	\$ 812.40
16.014	NC-12	Trees	\$ 473.90	\$ 473.90
16.015	NC-12	Trees	\$ 1,354.00	\$ 1,354.00
16.016	NC-12	Trees	\$ 1,286.30	\$ 1,286.30
16.017	NC-12	Trees	\$ 1,354.00	\$ 1,354.00
16.018	NC-12	Trees	\$ 1,354.00	\$ 1,354.00
16.019	NC-12	Trees	\$ 710.85	\$ 710.85
16.020	NC-12	Trees	\$ 1,354.00	\$ 1,354.00
16.021	NC-12	Trees	\$ 1,117.05	\$ 1,117.05
16.022	NC-12	Trees	\$ 507.75	\$ 507.75
16.023	NC-12	Trees	\$ 677.00	\$ 677.00
16.024	NC-12	Trees	\$ 1,354.00	\$ 1,354.00
16.025	NC-12	Trees	\$ 1,354.00	\$ 1,354.00
Total Amount of New Contracts				\$ 14,318.55

FUNDS AVAILABLE

\$ 23,402.75

Mrs. Pederson seconded the motion. The motion carried. (Motion #6)

Aye: Meismer, Pederson, Schilz, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen, Margritz, Petersen, Stack

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that the monthly report was available for the Directors’. Mr. Miller reported that \$7,425.00 was available.

July 2016 Board Meeting - Request changing to July 7 - Mr. Miller requested that the July 2016 Board of Directors meeting be changed from July 14 to July 7. There were no objections. Mr. Schilz reported that the July 2016 Board of Directors meeting would be held on July 7, 2016.

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

ELECTION OF OFFICERS

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

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

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

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

Mr. Schilz resumed chairing the meeting.

SELECTION OF NEBRASKA ASSOCIATION
OF RESOURCES DISTRICT REPRESENTATIVE

Mr. Weaver moved that the TPNRD 2016 Representative for the Nebraska Association of Resources Districts Board of Directors be Mr. Meismer. Mr. Wiseman seconded the motion. The motion carried. (Motion #8)

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

SUBCOMMITTEE APPOINTMENTS

Mr. Schilz announced the following appointments for the Subcommittees for 2016:

Water Resources Subcommittee

James Meismer – Chairperson
Dennis Schilz
Joe S Wahlgren
Jerry Weaver
Robert Wiseman

Land Resources Subcommittee

Eric S Hansen – Chairperson
Dale Margritz
Shane Storer

Wildlife Habitat & Urban Affairs Subcommittee

Robert L Petersen – Chairperson
Douglas L Stack
Judy Pederson

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OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported that the next Board of Directors meeting would be held on Thursday, February 18, 2016 at 3:00 pm.

ADJOURNMENT

The meeting adjourned at 4:24 pm.

Jerry Weaver, Secretary