

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
October 12, 2017

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 October 12, 2017. Mr. Schilz called the meeting to order at 7:35 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
Robert L Petersen
Dennis Schilz
Douglas L Stack
Shane Storer
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

David Colvin
Eric S Hansen

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Ann Dimmitt, IMP Coordinator
Kent Miller, General Manager
Amy Oberst, Administrative Assistant

OTHERS PRESENT

Marvin Knoll, Lincoln County Producer
Andy Olson, Lincoln County Producer
Kirk Olson, Lincoln County Producer
Mike Wheeler, Sargent Irrigation

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Schilz reported the Nebraska Open Meeting Act requires public bodies to make available at least one current copy of the Open Meeting Act to 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 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 Operating Policy Number 4: BOARD OF DIRECTORS ABSENCES provides a Director will be considered excused if the Director notifies the office prior to the meeting he will be absent and the minutes will reflect whether an absent Director is excused or unexcused. Mr. Schilz reported Mr. Colvin and Mr. Hansen notified the office they would be absent and are therefore excused.

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

Other Announcements – None presented.

PUBLIC FORUM

Mr. Schilz opened the public forum.

Mr. Schilz stated that the public is provided an opportunity to speak to the Board during the public forum at the beginning of each Board meeting and that the public is not allowed to speak during the Board meeting.

Kirk Olson spoke regarding NCORPE. Mr. Olson stated that he is representing a group named Landowners for a Common Purpose. Mr. Olson stated that this group would like to see the NCORPE land sold so that property taxes are paid and that the land in private ownership would generate economic activity. Mr. Olson requested that the sale of the NCORPE land be on the November 9, 2017 TPNRD Board agenda. Mr. Olson reported that their group will provide to the TPNRD Board a legal opinion they have regarding the sale of the NCOPRPE land and he requested that the TPNRD provide to the group the legal opinion that has been provided to NCORPE.

Mr. Schilz said the sale of NCORPE land would be on the November 9, 2017 Board agenda.

Mr. Schilz closed the public forum.

REQUESTS FOR ASSISTANCE

None requested.

COOPERATING AGENCIES REPORT

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

GENERAL INFORMATION

No information presented.

BOARD OF DIRECTORS MINUTES

Minutes for the September 14, 2017 Meeting – Mr. Schilz reported the Minutes for the September 14, 2017 Board of Directors meeting were available for the Directors and he asked if there were any corrections or additions.

Mr. Meismer moved the Minutes of the September 14, 2017 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #1)

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

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported the Financial Statement for September 2017 was available for the Directors.

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

Mr. Meismer moved the Financial Statement for September 2017 be received and placed on file for audit and to approve payment of the invoices presented on October 12, 2017 in the amount of \$659,581.10. Mrs. Pederson seconded the motion. The motion carried. (Motion #2)

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

Budget Status – Mr. Meismer reported the Budget Status report was available.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the November 9, 2017 Board of Directors Meeting – Mr. Miller reported the District Policy provides “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 no bids/proposals would be presented for the November 9, 2017 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 October 12, 2017. Mr. Meismer asked Mrs. Dimmitt to report on the requests for variances.

Variance Request – TP-TRANS-17.22 – Mrs. Dimmitt reported on variance request TP-TRANS-17.22.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve variance TP-TRANS-17.22. Mr. Wiseman seconded the motion. The motion carried. (Motion #3)

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

Nay: None

Absent & Excused: Colvin, Hansen

Violations – No report presented.

Ground Water Management Area and Integrated Management Sub-Area Rules & Regulations - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Wells Allocations - Approval of Amendments to Rules & Regulations for Public Hearing on November 9, 2017 – Mr. Meismer reported that the Board on June 8, 2017 approved a motion “that the TPNRD begin the process of setting an allocation for the wells in the TPNRD at NCORPE, similar to the MRNRD planned allocation for the wells in the MRNRD at NCORPE, that will implement for the TPNRD the original intent of the TPNRD participating in NCORPE which was to provide water for the implementation of the TPNRD IMP, while maintaining the historical consumptive use all of the originally irrigated acres over all of the NCORPE area”. Mr. Meismer reported that Harriet Hageman, TPNRD Legal Counsel, prepared a memorandum and recommendations for amendments to the TPNRD Rules & Regulations which the Subcommittee has reviewed. Mr. Meismer reported that available for the Directors was a timeline for implementing the amendments to the Rules & Regulations, draft amendments for the TPNRD Rules & Regulations regarding NCORPE wells, and the complete TPNRD Rules & Regulations with the draft amendments regarding NCORPE wells. Mr. Meismer reported that the timeline provides for an effective date of January 1, 2018. Mr. Meismer reported that Harriet Hageman prepared the amendments and Don Blankenau, NCORPE Legal Counsel, reviewed the amendments and provided revisions. Mr. Meismer reported that the Middle Republican Natural Resources District (MRNRD) will have a hearing

for amending their Rules & Regulations on November 14, 2017.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve amendments to the Ground Water Management Area & Integrated Management Sub-Area Rules & Regulations for Public Hearing on November 9, 2017. Mr. Weaver seconded the motion. The motion carried. (Motion #4)

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

Nay: None

Absent & Excused: Colvin, Hansen

Ground Water Management Area and Integrated Management Sub-Area Rules & Regulations – Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Wells Allocations - Agreement between TPNRD & MRNRD - Mr. Meismer reported that the MRNRD is preparing an agreement. Mr. Meismer reported that a draft agreement is not currently available.

Sub-Regional Ground Water Modeling for southern Keith County – Olsson Associates Letter Agreement for Professional Services – Mr. Meismer reported that the Subcommittee has been discussing that the ground water levels in southern Keith County are continuing to decline and are not recovering. Mr. Meismer reported that regulations may be needed in southern Keith County and that the TPNRD should have public information meetings in southern Keith County. Mr. Meismer reported that the Subcommittee believes that the TPNRD needs more information for determining if regulations are needed and what the regulations should be. Mr. Meismer reported that the Subcommittee requested the staff to request Jim Schneider, Olsson Associates, to prepare a proposal for the TPNRD for preparing a model for southern Keith County. Mr. Meismer reported that available for the Directors was a proposal from Olsson Associates for preparing a model for southern Keith County. Mr. Meismer reported that the schedule provides for a completion date of March 30, 2018 and the cost is \$59,000.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve Olsson Associates Letter Agreement for Professional Services. Mr. Wahlgren seconded the motion. The motion carried. (Motion #5)

Aye: Meismer, Pederson, Petersen, Schilz, Stack, Storer, Wahlgren, Wiseman

Nay: Weaver

Absent & Excused: Colvin, Hansen

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Project - North Pipeline – Mr. Meismer reported that construction of the North Pipeline began April 4, 2017 and is completed.

Mr. Meismer reported that when pressure testing the north pipeline, there was 400 cfs flowing in the NPPD canal and that damage occurred to the rock that had been placed on the canal bank.

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Mr. Meismer reported that the velocity of the water into the canal and the canal bank had been designed for 1,000 cfs or greater flow in the canal as requested by NPPD and approved by FERC. Mr. Meismer reported that NPPD is now requiring a design for minimal flow in the canal and that FERC will now require a new design for safety for minimal flow. Mr. Meismer reported that the canal is currently not flowing water due to maintenance until November 4, 2017 and that the canal will not be dewatered again for another 5 years. Mr. Meismer reported that Chris Miller is working to complete a new design so that construction can be completed by November 4, 2017 if approval can be obtained from FERC. Mr. Meismer reported that the plan would be to select a contractor while FERC is reviewing design and he reported that FERC has been notified of the urgency. Mr. Meismer reported that the TPNRD does not have a cost estimate and that Board action is needed now to complete the work while the NPPD canal is empty. Mr. Meismer reported that Mr. Miller is guessing that the cost will be \$50,000 to \$100,000.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve authorizing the General Manager to execute a contract for construction of modifications of the NCORPE North Pipeline Structure at the NPPD Canal as recommended by the Engineer, Chris Miller. Mr. Wahlgren seconded the motion. The motion carried. (Motion #6)

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

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Project – Wellfield Operation – Mr. Meismer reported that pumping of water to the Republican River is not presently occurring.

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 - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Project – Board Meetings – Mr. Weaver reported on the last NCORPE Board meeting. Mr. Weaver reported that the next NCORPE Board meeting would be on October 18, 2017 at Curtis, NE.

Offset Water – Irrigation Districts – Western Pilot Project – Mrs. Dimmitt reported on the status of the Western Irrigation District Pilot Project. Mrs. Dimmitt reported that the TPNRD is currently installing time lapse cameras at each of the 25 pits for a record of water in the pits. Mr. Miller reported that the model being prepared by Jim Schneider, Olsson Associates, will be presented to the TPNRD Board & NE DNR on January 24, 2018 in Lincoln during the NARD Legislative Conference.

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Offset Water – Irrigation Districts – Cody-Dillon Instream Flows – No report presented.

Offset Water – Irrigation Districts – Development of Pits / Ponds – No report presented.

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

Offset Water – Irrigation Districts – Engineering Analysis - No report presented.

Offset Water – Non-Irrigated Certified Acres – Mr. Meismer reported that as of June 30, 2017, 1,815.61 acres enrolled in the temporarily not irrigate program and that the payout will be \$20,389.18 in October. Mr. Meismer reported that 13 landowners chose short term for 1 year at \$10/ac for 704.57 acres with 11.18 to 193.83 acres for each landowner. Mr. Meismer reported that 25 landowners chose long term for 4 years at \$12/ac for 1,111.04 acres with 2.00 to 124.32 acres for each landowner. Mr. Meismer reported that payments for this year are being made this month.

Offset Water – J2 Project – No report presented.

Offset Water – CPNRD Agreement – No report presented.

Offset Water – Conservation Tillage Measures – No report presented.

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

- 1 Irrigation Districts in TPNRD (2016FY Budget)
- 2 N-CORPE Project (2016FY Budget)
- 3 CPNRD Agreement (2016FY Budget)
- 4 J-2 Project (2016FY Budget)
5. Non-Irrigated Certified Acres (2016FY Budget)
- 6 Conservation tillage measures (2016FY Budget)
- 7 South Platte River Compact Coalition (2016FY Budget)

Mr. Meismer reported that available for the Directors was the IMP accounting shown on a graph and a chart.

Platte Basin Over-Appropriated Plan – Mr. Meismer reported that the last stakeholders meeting was held on September 20, 2017. Mr. Meismer reported that the next stakeholders meeting will be November 15, 2017 at 10:30 am at the Holiday Inn Express in North Platte, Nebraska.

Platte River Recovery Implementation Program – No report presented.

South Platte River Compact Coalition – No report presented.

Brule Watershed – NRCS Special Investigation / Possible Funding for Remedial Repairs -
Mr. Meisner reported that the NRCS in 2015 prepared a Site Assessment of the Brule Watershed and that the assessment showed a need for a full rehabilitation. Mr. Meisner reported that the NRCS funds previously available at the national level, were not approved for remediation of the Brule Watershed. Mr. Meisner reported that the NRCS State Engineer, Kevin Gustafson, informed the TPNRD on September 28, 2017 that Nebraska NRCS is going to proceed with an official NRCS National Engineering Manual (NEM) “Special Investigation” of the Brule Watershed Site 1-A. Mr. Meisner reported that a funding possibility, for remedial repairs, has come to our attention which necessitates quick action if we wish to be considered for this funding. Mr. Meisner reported that given that Brule Site 1-A is a high hazard structure, the NRCS Special Investigation Policy requires an investigation team be assembled and composed of specialist. Mr. Meisner reported that the NRCS State Engineering staff is currently preparing the contents for an assignment letter. Mr. Meisner reported that all parts of the NEM Special Investigations process must be completed and submitted to NRCS National Headquarters by November 24, 2017 to be considered for the remedial funding. Mr. Meisner reported that the NRCS Engineer has reported an investigation team will be in Brule October 18 & 19, 2017 to make a site visit.

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 (NARD) – Board of Directors – Mr. Meisner reported that available for the Directors was the minutes for the NARD Board of Directors meeting held on September 26, 2017 and he presented a report.

Nebraska Association of Resources Districts (NARD) – Annual Conference – Mr. Meisner reported the NARD Annual Conference was held in Kearney, NE on September 25-26, 2017. Mr. Meisner reported that available for the Directors was a Waits Ranch State Grassland Award News Release and picture and a business session report and the adopted resolutions.

Nebraska Association of Resources Districts (NARD) – 2020 North American Envirothon – Mr. Schilz reported that he and Mr. Meisner requests that the Board again consider contributing funds for the 2020 North American Envirothon that will be held in Nebraska. Mr. Schilz reported that on March 9, 2017, Mr. Meisner had made a motion “that the

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TPNRD contribute to the NARD \$5,327.00 / year for the next three years toward the costs for Nebraska to host the 2020 North American Envirothon”, and the motion died as there was no second.

Mr. Meismer reported that available for the Directors was NARD information regarding the 2020 North American Envirothon and a listing of NRD support for funding. Mr. Meismer reported that the cost for the TPNRD now would be \$3,542.00 / year for the next three years.

Mr. Meismer moved to approve that the TPNRD contribute to the NARD \$3,542.00 / year for the next three years toward the costs for Nebraska to host the 2020 North American Envirothon. Mrs. Pederson seconded the motion. The motion carried. (Motion #7)

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

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

Sandhills Task Force – No report presented.

Requests for Authorization to Travel – No requests presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported the monthly report was available for the Directors, \$58,908.61 was available, and there were no new applications to present.

Cost-Share Programs – District Conservation Programs – Mr. Miller reported the monthly report was available for the Directors, and \$7,282.81 was available.

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

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported that the TPNRD policy provides that the April, May, June, July, August, September, and October meetings shall begin at 7:30 pm and the November, January, February, and March meetings shall begin at 3:00 pm. Mr. Schilz asked if the Board would like to begin this year’s November Board meeting at 7:30 pm due to the late harvest. The

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Board agreed they would like to begin this year's November Board meeting at 7:30 pm.

Mr. Schilz reported the next Board of Directors meeting would be held on Thursday, November 9, 2017 at 7:30 pm.

ADJOURNMENT

The meeting adjourned at 8:22 pm.

Jerry Weaver, Secretary