

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
November 9, 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 November 9, 2017. Mr. Schilz called the meeting to order at 7:32 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

David Colvin  
James Meisner  
Robert L Petersen  
Dennis Schilz  
Douglas L Stack  
Shane Storer  
Joe Wahlgren  
Jerry Weaver  
Robert Wiseman

BOARD MEMBERS ABSENT

Eric S Hansen  
Judy Pederson

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

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

OTHERS PRESENT

Ken Anderson, Producer  
Paul Broeder, Producer  
Dan Estermann, Producer  
Ernie Goss, Creighton University  
Mike Groene, NE Senator  
Marvin Knoll, Producer  
George Lauby, North Platte Bulletin  
Skip Marland, Producer  
Ryan McIntosh, Mattson Ricketts Attorney  
Andy Olson, Producer  
Kirk Olson, Producer

Craig Phelps, Producer  
Beatriz Reyna, KNOP-TV  
Randy Robinson, Producer  
Kyle Shepherd, N-Corpe Manager  
Julie Stenger, Lincoln County Assessor  
Kendra Strommen, LCP Attorney  
Ralph Swedberg, Producer  
Job Vigil, North Platte Telegraph  
Henry Vogt, Lincoln County Appraiser  
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. Hansen and Mrs. Pederson 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 HEARING – Ground Water Rules & Regulations

Open Proceedings – Dennis Schilz, Chairperson of the TPNRD Board of Directors and Presiding Officer, opened the Public Hearing at 7:34 pm.

Appointment of Hearing Examiner - Mr. Schilz appointed Kent Miller, General Manager of the TPNRD, Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported the purpose of the public hearing was for hearing testimony in regard to proposed amendments for the District-wide Ground Water Management Area Rules and Regulations. Mr. Miller reported that a legal notice was published in the North Platte Telegraph October 19, October 26, and November 2, 2017 and copy of the proof of publication was on file and available to view by the public and the Board of Directors. Mr. Miller reported that the legal notice provided information that precise maps and a complete copy of the TPNRD Rules and Regulations, including the proposed amendments, were available at the TPNRD website [www.tpnrd.org](http://www.tpnrd.org) and at the TPNRD office located at 111 South Dewey St, 2nd Floor, North Platte, Nebraska. Mr. Miller reported that available as a handout for the public, and available for the members of the Board of Directors on their electronic tablets, was a summary of the proposed amendments, a complete copy of the TPNRD Districtwide Ground Water Area Rules and Regulations with the proposed amendments shown, and a timeline for amending the TPNRD Rules &

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Regulations. Mr. Miller reported that the Rules and Regulations revisions are for the Ground Water Management Area Boundaries and in Chapter 1: Definitions and Chapter 3: Ground Water Controls for allocation for NCORPE Project wells.

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

Mr. Miller reported that a letter dated November 9, 2017 was received today from Jeff Fassett, Director, Nebraska Department of Natural Resources. Mr. Miller read the letter.

No additional testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the proposed amendments for the District-wide Ground Water Management Area Rules and Regulations.

There were numerous questions and comments.

Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Schilz. Mr. Schilz declared the hearing closed at 7:46 pm.

Amendments for the Districtwide Ground Water Management Area Rules and Regulations – Mr. Miller reported that an Order had been prepared by the TPNRD Legal Counsel, Harriet Hageman.

Mr. Meisner moved to approve the following revisions for the proposed amendments for the District-wide Ground Water Management Area Rules and Regulations that were presented for Public Hearing that are related to the Nebraska Department of Natural Resources letter dated November 9, 2017

3.9.1 ~~To approximate historical levels of water use, TPNRD NCORPE Project Wells shall have a base allocation of no more than twelve (12) acre inches of water per year over a period of ten (10) years, or a total aggregate allocation of 120 inches over a ten (10) year period for each acre of NCORPE Project for a total of 53,634 acre-feet land that was certified for irrigation at the time N-CORPE acquired the property.~~

Mr. Wahlgren seconded the motion. The motion carried. (Motion #1)

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

Mr. Wiseman moved that after considering the testimony received during the November 9, 2017 hearing, and being otherwise fully advised in the premises, the Board finds and Orders as follows:

1. The amended Districtwide Ground Water Management Area and Integrated Management Sub-Area Rules and Regulations are hereby adopted.

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2. Any amendments to the controls identified in the Districtwide Ground Water Management Area and Integrated Management Sub-Area Rules and Regulations are hereby adopted.
3. The amended Districtwide Ground Water Management Area and Integrated Management Sub-Area Rules and Regulations are incorporated into this Order by reference as though fully set forth herein.

Mr. Weaver seconded the motion. The motion carried. (Motion #2)

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

Mr. Miller reported that the Order will be published in the North Platte Telegraph on November 16, November 23, and November 30 and the effective date of the Order will be January 1, 2018.

#### 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, Ernie Goss, Ryan McIntosh, Julie Stenger, Mike Groene, Kendra Strommen, Marvin Knoll, and Dan Estermann all spoke regarding that they would like to see the NCORPE land sold. Mr. Goss distributed to members of the Board a document he had prepared titled “The Economic Impact of NCORPEs Lincoln County Farmland Purchase on the Local Economy, 2014-2021”, October 23, 2017. Mr. McIntosh distributed to members of the Board a memo Stephen Mossman and he prepared subject “Sale of Real Estate owned by the NCORPE Project”, October 11, 2017.

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 October 12, 2017 Meeting – Mr. Schilz reported the Minutes for the October 12, 2017 Board of Directors meeting were available and he asked if there were any corrections or additions.

Mr. Meismer moved the Minutes of the October 12, 2017 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #3)

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

FINANCIAL REPORT

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

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

Mr. Meismer moved the Financial Statement for October 2017 be received and placed on file for audit and to approve payment of the invoices presented on November 9, 2017 in the amount of \$1,237,377.78. Mr. Storer seconded the motion. The motion carried. (Motion #4)

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

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 December 14, 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 December 14, 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 November 9, 2017.

Mr. Meismer asked Mrs. Dimmitt to report on the requests for variances.

Variance Request – TP-TRANS-17.24 – Mrs. Dimmitt reported on variance request TP-TRANS-17.24.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve variance TP-TRANS-17.24. Mr. Weaver seconded the motion. The motion carried. (Motion #5)

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

Variance Request – TP-TRANS-17.25 – Mrs. Dimmitt reported on variance request TP-TRANS-17.25.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve variance TP-TRANS-17.25. Mr. Wiseman seconded the motion. The motion carried. (Motion #6)

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

Violations – No report presented.

Ground Water Management Area and Integrated Management Sub-Area Rules & Regulations - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Wells Allocations - Amendments to Rules & Regulations – No report presented.

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

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available.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) - Sale of Land – Mr. Meisner reported that available for the Directors was an ad in the North Platte Telegraph, November 3, 2017, NCORPE Board policy in regard to sale of the NCORPE land, an email from Kendra Strommen to TPNRD, October 24, 2017, a letter from Kendra Strommen to TPNRD, October 20, 2017, and a memo from Stephen Mossman to TPNRD, URNRD, MRNRD, and LRNRD, October 11, 2017.

Mr. Meisner reported that the TPNRD will consider the information provided during the Public Forum.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) - North Pipeline – Mr. Meisner reported that construction of the modifications of the structure at the NPPD canal, required by NPPD and FERC, is completed.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) - Legislature Natural Resources Committee Tour – Mr. Weaver reported on the Legislature's Natural Resources Committee tour of NCORPE on October 16, 2017.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) Project – Wellfield Operation – Mr. Meisner 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. Meisner 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 October 18, 2017 NCORPE Board meeting. Mr. Weaver reported that the next NCORPE Board meeting would be on January 31, 2018 at Alma, NE. Mr. Weaver reported that the NCORPE Board has determined to meet every other month alternating between NRDs and Curtis. Mr. Weaver distributed a NRCS NCORPE site visit trip report for August 25, 2017 and a NRCS NCORPE site visit trip report for September 11, 2017 which looked at the grass being established at NCORPE.

Offset Water – Irrigation Districts – Western Pilot Project – No report presented.

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

Offset Water – Irrigation Districts – Other – 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. Meisner reported that for 2017, 1,815.61 acres enrolled in the temporarily not irrigate program. Mr. Meisner reported that the program will continue to be offered.

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

Platte Basin Over-Appropriated Plan – Mr. Wahlgren reported that the last stakeholders meeting was held on September 20, 2017. Mr. Wahlgren 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 - No report presented.

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. Meismer presented a report.

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 was one new application to present.

Mr. Wahlgren moved to approve the November 9, 2017 report and to approve the following new contract:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt to Fund</u>
18.002	NC-14	Planned Grazing	\$ 2,612.03	<u>\$ 2,612.03</u>
		Total Amount of New Contracts		\$ 2,612.03
		FUNDS AVAILABLE		\$ 56,296.58

Mr. Wiseman seconded the motion. The motion carried. (Motion #7)

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

Nay: None

Absent & Excused: Hansen, Pederson

Cost-Share Programs – District Conservation Programs – Mr. Miller reported the monthly report was available for the Directors, and \$6,197.87 was available.

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

OTHER BUSINESS

There was no other business.

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NEXT MEETING

Mr. Schilz reported the next Board of Directors meeting would be held on Thursday, December 14, 2017 at 4:30 pm MT at Haythorn Ranch, Keith County.

ADJOURNMENT

The meeting adjourned at 8:50 pm.

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Jerry Weaver, Secretary