

**NORTH PLATTE NATURAL RESOURCES
DISTRICT BOARD OF DIRECTORS MEETING**

August 8, 2019

The regular meeting of the North Platte Natural Resources District (NRD) Board of Directors was called to order at 3:01 p.m. MDT, August 8, 2019, by Kent Andreas at the North Platte NRD conference room, 100547 Airport Road, Scottsbluff, Nebraska. Notice of the meeting was given to the public by publishing a legal notice in the August 1, 2019, Scottsbluff *Star-Herald*. Andreas informed meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, a copy of which is posted in the meeting room for public inspection.

Board members present Kent Andreas, Gary Darnall, Dave Deines, Roger Eirich, Chuck Henkel, Pete Lapaseotes, Ryan Reuter, Dan Weinreis and Mark Westphal. Others present: NPNRD Staff Members: John Berge, Barb Cross, Danielle Schafer, Travis Preston, Lynn Okicki, and Carolyn Hudson; Steve Smith, Simmons Olson Law Firm; Sarah Gray, Natural Resources Conservation Service; Beth Eckles and Sarah Nevison, Department of Natural Resources; Matt Steffl, District Supervisor at Game and Parks; Thad Kuntz, Adaptive Resources, Inc; Dave Fisher & Bruce Rolls.

The following items of informational material were made available to the Directors electronically prior to the Board Meeting:

1. Agenda
2. Minutes, North Platte Natural Resources District Board of Directors Meeting, July 11, 2019.
3. Treasurer's Report (Preliminary)
4. Manager's Report
5. Petition from Dave Fisher

6. Recommendation on the Petition to NDNR from Dave Fisher
7. Memo in consideration of the Integrated Management Plan
8. Memo in consideration of the Basin Wide Plan
9. LARM Insurance Renewal Resolution
10. Memo to consider donation of Expo Funds to Gering Ft. Laramie Relief Effort
11. Donation consideration to Gering Ft. Laramie Relief Effort
12. Minutes from the August 2nd Budget Committee meeting

The following items were provided to the Directors at the Board Meeting:

1. Agenda
2. Minutes, North Platte Natural Resources District, Board of Directors Meeting, July 11, 2019.
3. Treasurer's Report
4. Manager's Report
5. Copy of the Petition from Dave Fisher
6. Memo in Consideration of the Integrated Management Plan with a copy of the plan
7. Memo in consideration of the Basin Wide Plan with a copy of the plan
8. LARM Insurance Renewal Resolution Memo
9. Memo for donation consideration of Expo Funds to Gering Ft. Laramie Relief Effort
10. Memo for Donation consideration to Gering Ft. Laramie Relief Effort
11. Minutes from the August 2nd Budget Committee meeting

3. Approval of Minutes of Previous Meeting

The Board reviewed the minutes of the July 11, 2019, regular Board meeting. Moved by Eirich, seconded by Henkel, to approve the minutes of the July 11, 2019 regular Board meeting with the amendment that Dave Deines was present at the July meeting. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapascotes, Reuter, Westphal

Nay: None

Abstain: Weinreis

Absent: None

4. Treasurer’s Report and Accounts Payable

Ryan Reuter reviewed the Treasurer’s report with the Board. Moved by Darnall, seconded by Weinreis, to accept the Treasurer’s report and pay the bills as listed. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapascotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

5. Comments from the Public

Dave Fisher discussed the petition that he’d like the board to sign in reference to having the Department of Natural Resources declare this NRD fully appropriated. He says we have good people both here and in Lincoln in water management. He would like to table the petition at this time. He asked the board to consider different ways to create storage. He had looked at Lake Alice and asked if we could keep more water there throughout the winter months for recharge and evapotranspiration. He gave testimony on amendments to both the IMP and BWP. NPNRD attorney Steve Smith explained that it’s Pathfinder water and its federal water.

The water goes directly to Lake McConaughy. He stated that Wyoming would not allow it and it would necessitate a change in the decree.

6. Manager's Report

John Berge provided the Manager's Report and discussed the highlights. He discussed the Gering-Ft. Laramie canal breach and gave an update. Berge is looking into obtaining credit on the release of 200,000 AF of water from Guernsey. We are looking at the possibility of having Farmers Irrigation District Canal take that water and allow some recharge. John will visit with Kevin Adams on this but as of today, we cannot take that water. The NRD expo is on the 24th of August and all board members are welcome. Fall conference is Sept. 22nd through the 24th. We cannot make reservations yet due to the flooding in Kearney, but board members need to let John or Barb know if they want to attend.

7. Presentation by Adaptive Resources Inc.

Thad Kuntz presented information on the Schaneman Recharge Project. He also went over the Enterprise Canal leases and reviewed the analysis for them. Thad discussed the Western Water Use Management Model and the updates that extend the model through 2019. He is currently working on the geology and hydrology of the Pumpkin Creek and Lodgepole Creek valleys. He is also adding LiDAR into the modeling. By moving unstructured grids, he can put more layering into the modeling. The new model will go from 1953 – 2020. He will also update the surface water model for the North Platte and South Platte rivers. ARI has applied for a WSF grant of \$240,000.00. Thad also went over the Robust Review Results. He showed the effects of allocation implementation, excess flow credit and retirement credit. The next Robust Review will consider management through 2022. He will need to deal with commingled land use development in the OA area with the new model.

8. Consideration of the Petition to the Nebraska Department of Natural Resources Presented by Dave Fisher of Gering

The board was advised of the petition and discussed the memo from Thad Kuntz of Adaptive Resources on his overall conclusion. Dave gave testimony on this petition and would like to sit down with Thad and Steve Smith (NPNRD attorney) to discuss it. Steve cited language in statute stating it would not be appropriate for the board to sign the petition. Mr. Fisher was also advised that discussions with either Thad or Steve would be paid for at his own expense and NOT by the NPNRD. It was moved by Henkel and seconded by Eirich to NOT sign the petition as a board. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

9. Consideration of the Integrated Management Plan

Berge went over the IMP process and how they arrived at the current draft. Mr. Fisher was the only negative vote through the stakeholder process on the IMP, and as such, the group did not reach consensus. The plan was given back to NPNRD and DNR for final drafting. Berge asked that the board adopt the plan as written.

It was moved by Eirich and seconded by Reuter to approve and adopt the NPNRD IMP plan as drafted. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

10. Consideration of the Basin Wide Plan

The same process was used in the planning of the BWP as was used in the IMP process. Thirty stakeholders participated, with over one-third coming from this district. The BWP was approved by all stakeholders except Mr. Fisher. As such, they did not reach consensus and the final plan was drafted by all five NRD's in the basin and DNR. Berge asked that the board adopt the plan as written. It was moved by Henkel and seconded by Deines to approve and adopt the BWP as drafted. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

11. Consideration of the League Association of Risk Management Insurance Renewal

Resolution

Berge went over the liability policy with LARM. Premiums went down with the policy. LARM and our agent, Nate Fox, have been easy to work with. Berge went over the quotes and recommended a three-year renewal for \$60,511.80, saving the district approximately \$4,000.00 when utilizing a multi-year renewal. It was moved by Weinreis and seconded by Darnall to renew with LARM for the three-year period. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

12. Consideration of Donation of NPNRD Expo Proceeds to the Gering Ft. Laramie Relief Effort

Berge reviewed the preliminary budget dollars that have been set aside for the expo. The NRD has sponsors for the event that help to offset the costs. Berge is making a recommendation that all monies for this years sponsors go to the Gering-Ft. Laramie Relief Effort. The irrigation district will need funds for match dollars on any grants they may be approved for and these dollars would help support that effort. It was moved by Reuter and seconded by Eirich to donate all sponsorship dollars received for the expo directly to the Gering-Ft. Laramie Irrigation District. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

13. Consideration of Donation of \$25,000 to the Gering Ft. Laramie Relief Effort

Berge went over the lease arrangement he'd like to enter into with the federal storage water. At this time, storage water cannot be released for anything other than irrigation purposes. Guernsey is releasing 200,000 AF of storage water to alleviate pressure in the system due to the natural runoff that is expected. He discussed the relief effort and how the canal repairs are going up to this date. Berge recommended that we give \$25,000.00 to the Gering-Ft. Laramie Irrigation District to assist them with repairs to the canal system. It was moved by Eirich and seconded by Reuter to give \$25,000.00 directly to the Gering-Ft. Laramie Irrigation District to assist with canal repairs. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

14. Budget Consideration Items

a. Consideration of Referral of FY 2020 Budget for Hearing on September 12, 2019

The budget committee minutes were reviewed by the board and the budget has been recommended to the board to set the budget for hearing. It was moved by Reuter and seconded by Weinreis to set the budget hearing for September 12, 2019. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

b. Consideration of Referral of FY 2020 Tax Request for Hearing on September 12, 2019

It was moved by Eirich and seconded by Reuter to set the tax request for hearing on September 12, 2019. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None

15. Adjourn

It was moved by Eirich, seconded by Deines, to adjourn at 4:28 p.m., MDT. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: None

Abstain: None

Absent: None