

PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on February 12, 2008 at the SPNRD Offices, 551 Parkland Drive, Sidney, NE at **7:00 p.m.** An agenda of the matters to be considered at such date, time and place is kept continually current and is available for public inspection during normal business hours at the South Platte NRD Office, 551 Parkland Drive, Sidney. Any person with disabilities who needs help in participating in the meeting should contact the District office (telephone (308) 254-2377) before the meeting.

FINAL AGENDA

1. Call to Order - Keith Rexroth, Chair
 - A. Nebraska Open Meetings Act
 - B. Legal Notices
2. Minutes
 - A. Minutes of the January 8, 2008 meeting of the Board of Directors
 - B. Minutes of the January 8, 2008 meeting of the District Operations Committee
 - C. Minutes of the January 7, 2008 meeting of the Natural Resources/Projects and Programs Committee
3. *Treasurer's Report For January 2008 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. Review of Architectural Construction Documents - Rex Peterson, Baker & Associates, Inc.
6. Director and Staff Reports
7. Agency Reports
 - A. USDA-Natural Resources Conservation Service (NRCS)
 1. NRCS Report - Kristin Miller, DC-NRCS
 - B. Nebraska Association of Resources Districts (NARD)
 1. NARD Board of Directors February Meeting Report - Johnson
 2. NARD Risk Pool Board of Directors Meeting Report
 3. February 2008 NARD Legislative Conference Report - Johnson/Rexroth/Rutt
 4. Review 2008 Legislative Bills - Johnson/Rexroth/Rutt
 5. NARD Information and Education Committee Report - Ogle
 - C. Panhandle Resources Conservation and Development (PRC&D)
 1. PRC&D Report - Burkhart-Kriesel
 - D. Nebraska Department of Natural Resources (NDNR)
 1. Natural Resources Commission Report - Rexroth
 - E. Nebraska Board of Educational Lands and Funds
 1. Cooperative Agreements for the Education Lands Lease - Horn

8. Committee Reports
 - A. Natural Resources/Projects & Programs Committee - Hutchison
 1. *Further Discussion and Action as Desired to Place the Senninger Flow Meter on the List of Accepted Flow Meters
 2. Variance Advisory Group
 - a. Review Requests Brought before the Group
 - b. *Action on Variance Requests Recommended by the Group
 3. *Action on Application(s) to Modify Certified Irrigated Acres/Tracts
 4. Review Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations
 5. Review Proposed Integrated Management Plan (IMP)
 6. *Board's Agreement in Conjunction with NDNR on the IMP in Accordance with Nebr. Rev. Stat. § 46-718(1)
 7. *Action to Schedule Public Hearing for Receiving Testimony on: 1) SPNRD/NDNR IMP and the Proposed Controls; and 2) Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations
 - B. District Operations Committee - Johnson
 1. *Action on Bids/Proposals Received for Consideration to Purchase New Vehicle
 2. *Discussion and Action as Desired to Proceed with Bidding Process to Purchase:
 - a. Computer Equipment and Software
 - b. Portable Flow Meter
 - c. Replace Original Air Conditioning Unit/System
 3. *Action on the South Platte River Group Fund Account
 4. Review Oliver Reservoir Lease Arrangement between the South Platte NRD and the State of Nebraska Game and Parks Commission
 5. *Six-Month Performance Appraisal and Salary Review for Don Ogle, Information and Education Coordinator
9. Platte River Basin Water Issues
 - A. South Platte River Group and Compact Coalition Report - Horn
 - B. COHYST Report - Horn
 - C. Overappropriated Platte River Basin - Cost and Responsibility for 1997-2005 Offsets - Horn
10. Correspondence
11. Upcoming Dates
 - A. SPNRD Office Closed, Presidents Day - February 18, 2008
 - B. Variance Advisory Group meeting - February 19, 2008 at 7:00 p.m.
 - C. 2008 Governor's Ag Conference, Kearney, NE - March 4-5, 2008
 - D. NARD Annual Washington D.C. Trip, The Madison, A Loews Hotel - March 10-12, 2008
 - E. SPNRD Board of Directors Meeting - March 11, 2008
 - F. Nebraska Water Law, Navigating the Past, Present and Future, Lincoln, NE - May 8-9, 2008

12. Adjourn

*Denotes Action Items

MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday February 12, 2008, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE, at 7:00 p.m. The public notices were published in the Sidney, Chappell and Kimball newspapers. The agenda was compiled and each member of the Board of Directors and other interested and affected persons were notified of the meeting date within the deadline.

Board Members Present

Keith Rexroth, Chair	Larry Rutt
Cheryl Burkhart-Kriesel, Vice Chair (left at 8 p.m.)	Paul Hutchison
Tom Biggs, Secretary	Jim Johnson

Board Members Absent

Deb Crago (excused)

Others Present

Kristin Miller, DC NRCS-USDA; Rex Peterson, Baker & Associates; John Fehringer

NRD Staff Present

Rod L. Horn, General Manager	Linda L. Suhr, Admin. Sec. /Bookkeeper
Galen Wittrock, Assistant Manager	Kyle Liebig, Water Resources Coordinator
Don Ogle, I & E Coordinator	Travis Glanz, Water Resources Technician

Information provided prior to the board meeting or made available at the meeting:

1. Tentative and Final Agendas, SPNRD Board meeting, February 12, 2008
2. Tentative and Final Agendas, Natural Resources/Projects and Programs Committee meeting, February 11, 2008
3. Tentative and Final Agendas, District Operations Committee meeting, February 12, 2008
4. January Treasurer's Report
5. Minutes of the SPNRD Board meeting, January 8, 2008
6. Minutes of the District Operations Committee meeting, January 8, 2008
7. January 29, 2008 Manager's Letter
8. February 12, 2008 Manager's Report
9. Staff Reports: Linda L. Suhr, Administrative Secretary and Jodi R. Livingstone, District Secretary
10. January 31, 2008 Groundwater Modeling Support for the Nebraska cooperative Hydrology Study Status Report from High Plains Hydrology LLC
11. January 2008 Monthly Report - Julie Gogoi
12. January 29, 2008 Memo from Kyle Liebig Re: Modification of Certified Irrigated Acres with attached documents
13. Variance Advisory Group recommendations to the SPNRD from the 1/15/08 meeting with attachments
14. SPNRD/NDNR Draft Time Line for the IMP and Districtwide GWMA Rules and Regulations
15. Draft Districtwide Ground Water Management Area Rules and Regulations
16. Draft Integrated Management Plan
17. 1984 Lease between the SPNRD and the NE Game & Parks Commission Re: Oliver Reservoir Management
18. February 8, 2008 letter from Bernard G. Fehringer Re: Senninger Flow Meter Pilot Program
19. NARD CA & Bill Summary for the 2008 Legislative Session
20. News Articles: Star Herald "Time Running out on Integrated Management Plans"
Star Herald "Platte River Legislation Passes Senate Committee"
Cornhusker Economics "Water Trading Can Reduce the Cost and Increase the Effectiveness of Groundwater Allocation"
21. February 12, 2008 letter to Keith Rexroth, Chair of the SPNRD, from Ann Bleed, NDNR Re: Agrees that the IMP satisfies the requirements of Nebr. Rev. § 46-718(1),

- 22. February 12, 2008 letter to Ann Bleed, NDNR, from Keith Rexroth, Chair of the SPNRD Re: IMP agreement between the SPNRD and the NDNR
- 23. NRCS Monthly Report to the SPNRD, February 2008
- 24. 2008 Pickup Bid Review
- 25. Baker & Associates, February 12, 2008 Probable Construction Costs
- 26. Per Diem/Expense sheet

BOARD MEETING

- 1. Call to Order
Chair Rexroth called the meeting to order at 7:00 p.m. Crago was noted as absent and excused.
 - A. Nebraska Open Meetings Act
Rexroth stated for the record that a copy of the Nebraska Open Meetings Law is posted in the conference room.
 - B. Legal Notices
Rexroth stated for the record that the meeting affidavits of publication are included with these minutes.
- 2. Minutes
 - A. Minutes of the January 8, 2008 meeting of the Board of Directors
These minutes were approved as presented.
 - B. Minutes of the January 8, 2008 meeting of the District Operations Committee
These minutes were approved as presented.
- 3. *Treasurer's Report January 2008 and Accounts Payable
Manager and Treasurer Rod Horn encouraged the board to review the Treasurer's Report and to address any questions. Account balances for accounts are as follows:

<u>Account</u>	<u>1/1/08</u>	<u>1/31/08</u>
SPNRD Checking	\$ 267,485.31	\$ 334,706.59
Citizens' Monitoring - combined	\$ 17,343.49	\$ 17,391.87
NPAIT-GW Festival	\$ 1,137.72	\$ 1,141.23
NPAIT-LPCSI-EQIP	\$ 132,574.65	\$ 132,980.28
South Platte Group	\$ 6,703.04	\$ 1,564.03

Investment accounts were reviewed. Accounts payable was presented in the amount of \$43,462.76.

Some discussion followed. Moved by Burkhart-Kriesel and seconded by Biggs to approve the January Treasurer's Report. A roll call vote was taken.

Aye: Johnson, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt
 Nay: None
 Absent: Crago
 Motion Carried.
- 4. Public Questions, Comments and/or Concerns
None.
- 5. Review Architectural Documents
Rex Peterson, Baker & Associates, reviewed the drawings for the new shop building and the remodeling project for the existing building. He also distributed proposed costs for the board's review. Discussion was held about procedures for remodeling the current shop area into a conference room and the current conference room into offices. The heating unit from the present shop is proposed to be moved to the new shop. The board discussed pros and cons of the larger tree cooler

verses the present size tree cooler. After discussion, the board was in agreement to proceed with the larger shop building and cooler and with the dollar amount proposed for the remodeling project and the new shop. Peterson will make final drawings for staff approval (board requested that staff okay the final drawings). He said bids would be let for three weeks for the new shop and remodeling project. He proposed opening the bids and bringing the bid results to the April 8, 2008 board meeting. He recommended the Thursday before the April board meeting to have a public bid opening and asked that a board member or executive be present when the bids are opened.

6. Director and Staff Reports

Glanz, Wittrock, Liebig and Ogle gave oral reports. Suhr, Horn and Livingstone submitted written reports.

Glanz has been busy with the flow meter program, preparing cost-share forms, working with resolving broken meters; consulting with other NRDs about their process for dealing with broken flow meters. He made presentations at the irrigator certification training across the District, pumped monitoring wells and attended Pesticide training in Scottsbluff.

Wittrock reported about 27,000 trees have been sold to date. There is a general decline in tree sales across the state. He sent applications for the Community Forestry Program, prepared a Tree Pruning workshop for February 27, 2008, and has the 2008 Chemigation applications ready to mail.

Liebig also attended Pesticide training in Scottsbluff. He pumped monitoring wells, did surface water sampling, made presentations at the irrigator certification training, and attended the GIS workshop in Grand Island, worked with well abandonment applicants, prepared acre modifications and worked on the VAG March meeting information.

Ogle set up the irrigator certification training across the District. He reported that about 300 were in attendance. A DVD is being made for those who need to test out. He has been working on the web site and will probably need some extra training. The Envirothon is rescheduled for March 10, 2008 with a snow date of March 12. Range and Land Judging will be folded into a rotation with the Envirothon so that each panhandle NRD will be in charge every three years. Ogle also assisted with the No-till workshops featuring Mark Watson. The final workshop is planned for March. The Ground Water Festival will be held on April 16, 2008. Ogle attended the NARD Legislative Conference. He reported that it was a good learning experience, saying the conference gave him new ideas.

7. Agency Reports

A. USDA/Natural Resources Conservation Service (NRCS)

1. NRCS Report

Miller distributed the NRCS report and gave highlights. Their main focus has been EQIP. A Lodgepole Creek Special Initiative EQIP contract was written.

B. Nebraska Association of Resources Districts (NARD)

1. NARD Board of Directors February Report

Board Minutes will be available at a later date. Johnson gave some highlights from the NARD Board of Directors February meeting. Officer elections will be held in March 2008.

2. NARD Risk Pool Board of Directors Meeting Report

He will be attending an insurance meeting in Kearney on February 15, 2008. Johnson said the Insurance program is working well and the financing is looking good.

3. January 2008 NARD Legislative Conference Report

Johnson, Rutt, Rexroth, Ogle and Horn attended the 2008 NARD Legislative Conference.

4. Review 2008 Legislative Bills

The information in the handout lists the 2008 legislative bills pertinent to NRDs.

5. NARD Information and Education Committee Report

Kody Schrader resigned from the NARD staff and Dean Edson is in the processing of hiring. Johnson said NARD is proposing dividing the NARD Information & Education position into two separate jobs.

- C. Panhandle RC& D
 - 1. PRC&D Report
Burkhart-Kriesel left the meeting early so no report was given.
- D. Nebraska Department of Natural Resources (NDNR)
 - 1. NDNR Report
Rexroth reported that the NDNR meeting was held in conjunction with the Legislative Conference. Two members provided testimony for Bill 1150 before the Legislature.
- E. Nebraska Board of Educational Lands & Funds
 - 1. Cooperative Agreements for the Education Lands Leases
All cooperative agreements were signed by members of the board of directors.

8. Committee Reports

- A. Natural Resources/Projects and Programs Committee
 - 1. *Further Discussion and Action as Desired to Place the Senninger Flow Meter on the List of Accepted Flow Meters
Hutchison explained that the committee carefully considered and discussed Fehringer's request, suggestions and proposal. John Fehringer was present and he made comments concerning his father's request. He has been in contact with the Senninger representative. Hutchison pointed out that the pilot program was originally for 2006 and an extension of the pilot program was extended to the 2007 irrigation system. Problems with the pilot program include the Senninger flow meters' unreliable readings when tested by SPNRD staff (approved flow meters test within the required 2%), Liebig's concerns about the reliability of the Senninger flow meter; that Fehringer installed one meter which was used in the 2007 season and one meter was only on for 20 days during 2007 when the Committee had requested when the pilot program was approved, for 2 meters to be installed and used during the entire 2007 irrigation season (April - September). Hutchison moved on behalf of committee to discontinue the Senninger flow meter pilot program. The motion was seconded by Biggs. Discussion was held about flow meters being required in Cheyenne County by March 2008. With no further discussion a roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Johnson
 Nay: None
 Absent: Crago, Burkhart-Kriesel (left at 8:00 p.m.)
 Motion Carried.

- 2. Variance Advisory Group
 - a. Review Requests Brought Before the Group
The committee reviewed the requests that were brought before the Variance Advisory Group. Hutchison requested acting separately on each variance. He pointed out that the Group took no action on the Burbach request because additional documentation was necessary before a decision could be made.
 - b. *Action on Variance Requests Recommended by the Group
On the request from Gene Dowd, Hutchison explained that the request is similar to others approved by the board concerning the Highway 71 expansion in Kimball County. Hutchison moved on behalf of committee and Biggs seconded the motion to approve modification of certified acres to transfer 12.98 acres according to the Variance Advisory Group meeting information of January 15, 2008. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Johnson, Hutchison
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

On the request from Floyd Derry Farms, Hutchison explained acres were overlooked by staff when completing the original acre certification. Hutchison moved on behalf of committee and Rutt seconded the motion to approve modification of certified acres to add 9.2 acres according to the Variance Advisory Group meeting information of January 15, 2008. A roll call vote was taken.

Aye: Biggs, Rutt, Johnson, Hutchison, Rexroth
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

Hutchison asked to break down the Derry Farms request into two parts. Although the Group voted to approve the request in its entirety, Hutchison explained that after thinking about the modification request, he didn't agree with part of it. Certified acres (Lodgepole Creek pasture and sugar beets) were overlooked by staff (not provided in FSA map) when completing the original irrigated acre certification on Tract #2 (23-13-45), and Hutchison moved on behalf of committee and Biggs seconded the motion to approve modification of certified acres to add 45.3 acres. A roll call vote was taken.

Aye: Rutt, Johnson, Hutchison, Rexroth, Biggs
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

Hutchison didn't agree with the part of the request from Derry Farms on Tract #1 (18-13-45). In the past the board didn't allow a variance due to FSA map changes. Discussion was held about trying to be consistent with past policy the original certifications will be upheld in an instance like this. Hutchison moved on behalf of committee and Biggs seconded the motion to deny the request to use the FSA maps from 1980 to determine irrigated acres on Tract #1 (18-13-45). A roll call vote was taken.

Aye: Johnson, Hutchison, Rexroth, Biggs, Rutt
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

After the vote Hutchison commended the job done by the Variance Advisory Group and added that checks and balances is part of the process.

3. *Action on Applications(s) to Modify Certified Irrigated Acres/Tracts

Liebig provided maps and information in the handout material for requests to modify certified irrigated acres for Melinda K. Nelson (17-12-42), Jerry Gregory (25-15-56) and Max Garvin (6-12-48). Liebig worked with the landowners/tenants and provided maps listing proposed offset acres, original certified irrigated acres, new acres and/or new pivots. These modifications are due to converting flood to pivot irrigation. After discussion and on behalf of committee, Hutchison moved and Biggs seconded the motion to approve each of the three requests to modify certified irrigated acres. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Johnson
Nay: None
Absent: Crago, Burkhart-Kriesel, Rutt (left the room from 9:06-9:08 p.m.)
Motion Carried.

4. Review Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations

Hutchison and the committee reviewed the proposed amendments to the Districtwide Ground Water Management Area Rules and Regulations at their meeting. Copies were provided to the board several days prior to the meeting. Other board members present were comfortable to take committee recommendation. Hutchison pointed out that Municipal controls were moved to the IMP as per recommendations of the Municipal Subcommittee meetings.

5. Review Proposed Integrated Management Plan (IMP)

Hutchison and the committee reviewed the proposed Integrated Management Plan at their meeting. Other board members present were comfortable to take committee recommendation.

6. *Board's Agreement in Conjunction with NDNR on the IMP in Accordance with Nebr. Rev. Stat. § 46-718(1)

Discussion was held about Ann Bleed's letter (NDNR) to the SPNRD regarding the IMP and the draft letter from Keith Rexroth, Chair to Ann Bleed, NDNR. It was moved by Hutchison and seconded by Rutt for board approval in conjunction with NDNR on the IMP in accordance with Nebr. Rev. Stat. § 46-718(1), with a letter from the board to be sent to Ann Bleed, NDNR. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Johnson, Hutchison
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

7. *Action to Schedule Public Hearing for Receiving Testimony on: 1) SPNRD/NDNR IMP and the Proposed Controls; and 2) Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations

It was moved by Hutchison and seconded by Rutt to schedule a public hearing on March 13, 2008 at the Sidney Holiday Inn, for receiving testimony on the IMP and the amendments to the Districtwide Ground Water Management Area Rules and Regulations. A roll call vote was taken.

Aye: Biggs, Rutt, Johnson, Hutchison, Rexroth
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

B. District Operations Committee

1. *Action on Bids/Proposals Received for Consideration to Purchase New Vehicle

Johnson told the board that the committee reviewed the bid information that was distributed to the board. The low bid was from Wolf Automotive (Kimball) in the amount of \$17,530.13 (with trade) to replace the current sample truck. Johnson moved and Rutt seconded the motion to accept the bid from Wolf Automotive. A roll call vote was taken.

Aye: Rutt, Johnson, Hutchison, Rexroth, Biggs
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

2. *Discussion and Action as Desired to Proceed with Bidding Process to Purchase:

a. Computer Equipment and Software

The computer equipment proposed for replacement is Horn's and Livingstone's. Both are outdated and Livingstone's unit is especially slow.

b. Portable Flow Meter

The current portable flow meter is showing signs of wear and the technology aspects are becoming outdated.

c. Replace Original Air Conditioning Unit/System

The air conditioning system in the current office section is inadequate for the number of people and computers in the space. It can no longer keep up with summer cooling needs. Several local contractors looked at the set-up and made estimates between \$2,300 - \$6,000, depending if the entire furnace needs to be replaced or just the coils to handle a larger A/C unit.

Johnson explained that these are all items listed in the budget and policy dictates board approval before proceeding with the bidding process. Johnson moved on behalf of committee and Biggs seconded the motion to authorize staff to proceed with the bidding process on the two computers, the portable flow meter and replacing the original A/C unit/system. A roll call vote was taken.

Aye: Johnson, Hutchison, Rexroth, Biggs, Rutt
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

3. *Action on South Platte River Group Fund Account

Horn explained that the checking account balance for the South Platte River Group fell below the level required, and a fee was charged in January. Discussion was held about changing the account to a free checking account (no fees and no interest). Johnson moved on behalf of committee and Hutchison seconded the motion to allow staff to move the SPG account to a free checking account. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Johnson
Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

4. Review Oliver Reservoir Lease Agreement between the South Platte NRD and the State of Nebraska Game and Parks Commission

The purpose of this agenda item is to bring to the board's attention that the lease for Oliver Reservoir between the SPNRD and NE Game and Parks Commission expires in 2009. More discussion will be held in upcoming board meetings.

5. *Six-Month Performance Appraisal and Salary Review for Don Ogle. Information and Education Coordinator

Johnson said the committee reviewed the performance appraisal for Don Ogle, prepared by Horn. Johnson, on behalf of committee, moved to approve the updated salary pay range value for the Information and Education Coordinator position, and approve the salary adjustment made according to the Salary Grade and Pay Range Schedule provided by the Manager. Biggs seconded the motion. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Johnson, Hutchison

Nay: None
Absent: Crago, Burkhart-Kriesel
Motion Carried.

9. Platte River Basin Water Issues

A. South Platte River Group and Compact Coalition Report

Horn reported that the new South Platte River Compact Coalition is moving forward.

B. COHYST Report

The reports from Dick Luckey and Julie Gogoi are in the handout information.

C. Overappropriated Platte River Basin - Cost and Responsibility for 1997-2005 Offsets

Horn gave an updated on the progress of the Overappropriated Platte River Basin. NRD Managers met with the Governor and Horn felt this meeting was positive. Part of the continued discussion is paying for offsets.

10. Correspondence

Horn urged the board to read correspondence included in the information material.

11. Upcoming Dates

A. SPNRD Office Closed, Presidents Day - February 18, 2008

B. Variance Advisory Group Meeting - February 19, 2008 at 7:00 p.m.

C. 2008 Governor's Ag Conference, Kearney, NE - March 4-5, 2008

D. NARD Washington, D.C. Trip, The Madison, A Loews Hotel - March 10-12, 2008

E. SPNRD Board Meeting - March 11, 2008

F. Nebraska Water Law, Navigating the Past, Present and Future, Lincoln, NE
- May 8-9, 2008

12. Adjourn

With no further action, the meeting was adjourned at 9:55 p.m.

Linda L. Suhr

Linda L. Suhr, Recording Secretary

*Denotes Action Taken