

PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on February 9, 2010 at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, at 5:00 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 (308) 254-2377, before the meeting.

FINAL AGENDA

1. Call to Order - Keith Rexroth, Chair
 - A. Nebraska Open Meetings Act
 - B. Legal Notice
 - C. *Action on Scheduling March's SPNRD Board of Directors Meeting
 - D. Approval of Expenditures
 1. *Possible March 2010 Committee Meeting Expenditures for Meals
2. Minutes
 - A. Minutes of the January 12, 2010 meeting of the Board of Directors
 - B. Minutes of the January 12, 2010 meeting of the District Operations Committee
 - C. Minutes of the January 11, 2010 meeting of the Natural Resources/Projects and Programs Committee
 - D. Minutes of the January 18, 2010 meeting of the Executive Committee
3. *Treasurer's Report for January 2010 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. Director and Staff Reports
6. Agency Reports
 - A. USDA-Natural Resources Conservation Service (NRCS)
 1. NRCS Report - Susan Lockwood, NRCS
 - B. Nebraska Association of Resources Districts (NARD)
 1. NARD Board of Directors Meeting Report - Rutt
 2. 2010 NARD Legislative Conference Report - Rutt/Rexroth
 3. Review 2010 Legislative Bills - Rutt/Horn
 4. NARD Information and Education Committee - Ogle
 - C. Panhandle Resource Conservation and Development (PRC&D)
 1. PRC&D Report - Burkhart-Kriesel
 - D. Nebraska Department of Natural Resources (NDNR)
 1. NDNR Report - Rexroth
 - E. Board of Educational Lands and Funds (BELF)
 1. BELF Report - Rexroth
7. *Action to Ratify the Executive Committee's Action to Authorize the Purchase of Lots 1, 2, 3, 5A, 7 and 8, Block 2, Parkridge Addition, City of Sidney, NE - Rexroth

8. The Sidney Groundwater Guardian Team 10-Year Recognition Presentation - Ogle

9. Wellhead Protection Program Report - Reisdorff

10. Ground Water Quality Nitrogen Management Summary Report - Kaiser

11. Committee Reports

A. Natural Resources/Projects and Programs Committee - Hutchison, Chair

1. Discuss Joint Water Subcommittee Meeting - February 23, 2010
2. Discussion and Action as Desired Concerning the Reorganization of the District's Ground Water Advisory Committees
3. Variance Advisory Group
 - a. Review Requests Brought Before the Group
 - b. *Action on Variance Requests Recommended by the Group
4. Discuss Upcoming Procedures Regarding Industrial Accounting, Baselines and Offsets

B. District Operations Committee - Halligan, Chair

1. *Discussion and Action as Desired Concerning the Wildlife Management Areas
2. *Consideration to Approve Camp Scholarships
 - a. Range Youth Camp
 - b. Adventure Camp about the Environment (ACE)
3. *Consideration to Approve the March 13, 2010 Urban BMP Workshop
4. *Consideration to Approve the Budget for the Cash for Grass FY2010 Program
5. *Action to Approve the Western Nebraska Children's Ground Water Festival Program and Budget
6. Discuss Conservation Awards Nominations Process
7. *Discussion and Action to Proceed with Bidding Process for the Following Purchases and Services:
 - a. Computer Equipment, Installation and Software
 - b. Rebuilding of Existing Light Fixtures in the Original SPNRD Building

12. Correspondence

13. Upcoming Dates

- A. February 15, 2010 - Closed, Presidents Day
- B. February 16, 2010 - Variance Advisory Group Meeting at 6:00 p.m.
- C. February 23, 2010 - Upper Platte River Joint NRD Meeting, North Platte, NE from 11:00 a.m. CT to 3:00 p.m. CT
- D. March 6-10, 2010 - Annual NARD Washington, D.C. Trip, Embassy Suites
- E. March 13, 2010 - Urban BMP Workshop, Sidney, NE from 9:00 a.m. - 12:00 noon
- F. April 14, 2010 - Western Nebraska Children's Ground Water Festival - Sidney, NE

14. Adjourn

*Denotes Possible Action Items

MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday, February 9, 2010, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE, at 5:00 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	Bill Halligan
Cheryl Burkhardt-Kriesel, Vice Chair	Larry Rutt
Tom Biggs, Secretary	Paul Hutchison

Board Members Absent

Jim Johnson (excused)

Others Present

Susan Lockwood, NRCS; Bill Taylor, City of Sidney; John and Jaclyn Miller

NRD Staff Present

Rod L. Horn, General Manager	Linda L. Suhr, Administrative Manager
Galen Wittrock, Assistant Manager	Kyle Liebig, Water Resources Coordinator
Ryan Reisdorff, Water Resources Program Specialist	Don Ogle, I & E Coordinator

Information Material

The following information was provided prior to the meeting or provided at the meeting:

1. February 9, 2010 Tentative and Final Agenda, meeting of the SPNRD Board of Directors
2. February 9, 2010 Tentative Agenda, meeting of the District Operations Committee
3. February 8, 2010 Tentative Agenda, meeting of the Natural Resources/Projects and Programs Committee
4. January 12, 2010 Minutes, SPNRD Board of Directors meeting
5. January 12, 2010 Minutes, District Operations Committee meeting
6. January 11, 2010 Minutes, Natural Resources/Projects and Programs Committee meeting
7. January 18, 2010 Minutes, Executive Committee meeting
8. January 2010 Treasurer's Report
9. February 9, 2010 Manager's Report and February 1, 2010 Manager's Letter, January 31, 2010 Administrative Manager's Report - 2010 NARD Legislative Conference and January 31, 2010 staff report from Jodi Livingstone, District Secretary
10. 1/12/2010 SPNRD Committee Membership and Officers Roster
11. Draft letter to Todd Nordeen, Nebraska Game & Parks Commission Re: Interest in acquiring Wildlife Management Areas, Goldeneye and Goldenrod and suggestions for Bittersweet
12. 2010 Range Camp Scholarship Proposal
13. 2010 Adventure Camp about the Environment (ACE) Scholarship Proposal and application form and brochure
14. SPNRD Urban Best Management Practices Workshop Agenda and Budget
15. 2010 SPNRD Cash for Grass Program and Budget with attached Kimball Cash for Grass Demonstration Project information and proposed Budget (319 Grant)

16. 2010 Western Nebraska Children's Groundwater Festival Proposed Budget and information
17. Request for Proposals to Purchase Computers and Laptop
18. Request for Proposals to seek electrician to rebuild existing light fixtures in the original part of the District's building to new T-8 lighting technology
19. Draft Agenda for the Joint Meeting of the Water Resources Subcommittee, February 23, 2010
20. Draft Information Sheet for Current Members and Proposed Members for the SPNRD Ground Water Subarea Advisory Committees
21. Draft Minutes of the SPNRD Variance Advisory Group Meeting, January 19, 2010
22. John and Jaclyn Miller's map of their pivots in their pooling variance request
23. Staff Discussion points for Procedures regarding Industrial Accounting, Baselines and Offsets, Replacement Industrial Wells, conflicts in DW Rule 6.8.3 and IMP Rules 7.3.3 and 7.5.3.3
24. Copy of 6.8.3, SPNRD Districtwide GW Management Area Rules and Regulations
25. Copy of 7.3.3 and 7.5.3.3, Integrated Management Plan Jointly Developed by the SPNRD and the NDNR
26. Copy of Power Point presentation by Ryan Reisdorff, "Wellhead Protection Program"
27. Briefs and Orders in Central vs. South Platte NRD, Case No. CI 09-199 and Steve Seglin's email, letter to Edith Baumbach, Clerk of the District Court, Cheyenne County, from Anderson, Klein, Swan & Brewer Re: Withdrawal of Motion to Consolidate and Transfer for filing
28. Per Diem/Expense form

Meeting

1. Call to Order

Chair Rexroth called the meeting to order at 5:00 p.m. noting that Johnson was 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 meeting room.

B. Legal Notices

Rexroth stated for the record that the meeting affidavits of publication are included with these minutes.

C. *Action on Scheduling March's SPNRD Board of Directors Meeting

Discussion was held that the NARD Washington DC meeting will be during the time of the normal March board meeting. Johnson, Rexroth and Horn will be attending the meeting. Halligan moved and Burkhart-Kriesel seconded the motion to schedule the March SPNRD Board of Directors meeting for March 16, 2010 beginning at 5:00 p.m. A roll call vote was taken.

Aye: Halligan, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: Johnson

Motion Carried.

D. Approval of Expenditures

1. *Possible March 2010 Committee Meeting Expenditures for Meals

Rutt moved and Burkhart-Kriesel seconded the motion to approve March 2010 committee expenses for meals as discussed. A roll call vote was taken.

Aye: Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt, Halligan

Nay: None
Absent: Johnson

Motion Carried.

2. Minutes

- A. Minutes of the January 12, 2010 meeting of the SPNRD Board of Directors
These minutes were approved as presented.
- B. Minutes of the January 12, 2010 meeting of the SPNRD District Operations Committee
These minutes were approved as presented.
- C. Minutes of the January 11, 2010 meeting of the SPNRD Natural Resources/Projects and Programs Committee
These minutes were approved as presented.
- D. Minutes of the January 18, 2010 meeting of the SPNRD Executive Committee
These minutes were approved as presented.

3. *Treasurer's Report for January 2010 and Accounts Payable

Horn reviewed account balances as follows:

<u>Account</u>	<u>January 1, 2010</u>	<u>January 31, 2010</u>
SPNRD Checking/Repurchase	\$ 233,500.18	\$ 294,103.47
Citizens' Monitoring Committee (combined)	\$ 24,679.42	\$ 24,681.28
LPCSI-EQIP NPAIT	\$ 29,691.48	\$ 1.12
LPCSI-EQIP Security First Bank CDs	\$ 302,108.28	\$ 298,006.10
SPRCC NPAIT	\$ 104,866.62	\$ 104,875.61

Horn reviewed the accounts payable. Horn urged the board to ask questions or come at any time to the office and review receipts/invoices. With no further discussion Halligan moved and Burkhart-Kriesel seconded the motion to approve the Treasurer's Report and pay the accounts payable in the amount of \$43,790.98. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Burkhart-Kriesel

Nay: None

Absent: Johnson

Motion Carried.

4. Public Questions, Comments and/or Concerns

None.

Agenda Item 8 was addressed next-Recognition for the Groundwater Guardian Program

5. Director and Staff Reports

Wittrock, Liebig, Ogle and Reisdorff gave oral reports. Glanz was unable to attend the meeting and Liebig read Glanz's report. Horn, Suhr and Livingstone submitted written reports. Horn also commented about the Central Nebraska Public Power vs. South Platte NRD lawsuit. He will keep the board informed of any new developments. Jim Cannia and Jared Abraham plan to attend the April 13 SPNRD board meeting and give a geophysical presentation on formations in the District. While in Washington DC, Horn plans to speak with USGS Headquarters concerning the importance of the type of work Cannia and Abraham are doing in the District. Horn, Liebig and Suhr met with Cannia and Abraham on February 4, 2010. Points were identified where further ground truthing is necessary. SPNRD staff

will work to obtain permission from landowners for the non-invasive process. The FUGRO flight information has been turned over to USGS and a report will be prepared from that data as well.

- Wittrock reported on the Conservation Tree Program. The Department of Agriculture sent information to Wittrock that the Nebraska Buffer Strip Program will be funded and 23 applications are approved involving about \$14,000 in annual payments. The final 2009 Community Forestry Program payment was included in tonight's accounts payable. The 2010 Community Forestry Program applications are due by March 1, 2010. He is monitoring an informal sediment and erosion complaint and working with a producer and NRCS regarding an informal irrigation runoff complaint. He will be working with Karen DeBoer to hold a Mountain Pine Beetle Workshop on Thursday at the SPNRD Conference room. DeBoer will also be holding a meeting about expiring CRP options on March 1, 2010. In response to a board member's question, the SPNRD pays 3 cents extra per tree for NARD supervision of the program for trees purchased from Bessey Nursery. Pheasants Forever will hold a prescribed burn workshop at the Sidney Holiday Inn on February 16, 2010.

- Liebig reported that the inspections he and Thad Kuntz made along the Lodgepole Creek where the creek is active and the South Plate River are a useful and beneficial analytical tool for the ground water model that Thad Kuntz is working with. DNR is also using some of the information. Records from the 80's were also tracked. Liebig, Horn and Reisdorff worked with SPNRD legal counsel, Steve Seglin and NE Department of Natural Resources concerning Industrial Accounting. Liebig and Horn met with Perry Van Newkirk to review a rough draft of the Conservation Easement. They also attended a Nebraska New Depletions Programs reporting meeting. He drafted a letter to the flow meter maintenance and replacement contractors. Liebig attended the Groundwater Guardian meeting, worked with GIS Workshop on the water accounting, met with companies in the District concerning industrial accounting and worked with irrigation replacement flow meter issues. Thad Kuntz, Liebig and Horn worked on stream depletion percentages. Kuntz is compiling a report on acres that will be decertified. That report should be reimbursable through PBHEP. Liebig prepared documents and attended the VAG meeting, along with his other numerous duties. He assisted with trash cleanup at the Goldeneye and Goldenrod WMAs. He also stated that the Western Water Use Model is moving forward.

- Ogle reported attending the Legislative Conference, along with Suhr and Horn. He is working with Education Service Unit (ESU) to prepare a teachers' workshop, "Food, Land and People". He reviewed the Envirothon to be held on February 17 in Gordon, and the Urban BMP Workshop on March 13. The 20th Annual Children's Groundwater Festival has also been a major focus this month. He worked on the ACE Camp, Pipeline Newsletter, web updates and 319 Grant program items.

- Reisdorff reported about progress on the Sidney Wellhead Protection Area Plan, the Cash for Grass Program, the Urban BMP Workshop and the Water Wise program, all part of his responsibilities with the 319 Grant. He has also been working on industrial accounting with Horn and Liebig. He reported that the SPNRD has applied for Groundwater Guardian Affiliate status, which will assist in developing programs in targeted cities/villages in the District.

6. Agency Reports

A. USDA-Natural Resources Conservation Service (NRCS)

1. NRCS Report

Kristin Miller, District Conservationist, was absent from the meeting. A written report was provided in the handout material. Susan Lockwood was present to represent NRCS and reviewed the NRCS report. Discussion followed.

B. Nebraska Association of Resources Districts (NARD)

1. NARD Board of Directors Meeting Report

Rutt attended the NARD Board of Directors meeting, along with Johnson. He gave a brief report.

2. NARD 2010 Legislative Conference Report

Johnson, Rutt and Rexroth attended the NARD 2010 Legislative Conference. Rutt and Rexroth reported on the conference. Rutt also discussed information he learned about the Kansas Compact. Suhr told the board she appreciated the opportunity to attend the conference.

3. Review 2010 Legislative Bills

Rutt and Horn discussed the 2010 Legislative Bills. Horn said the NARD will continue to monitor LB 1054 and LB 1056.

4. NARD Information and Education (I&E) Committee

Ogle, Rutt and Johnson attended the NARD I&E Committee meeting. The NARD received a small Nebraska Environmental Trust Fund grant which will be used to provide cost-share to the NRDs for posters to promote NRDs. Ogle reported that P/R training is planned for boards and managers and I&E staff members.

C. Panhandle Resource Conservation and Development (PRC&D)

1. PRC&D Report

Cheryl Burkhardt-Kriesel reported that the PRC&D is celebrating its 40th anniversary, and plans are being made to promote how the RC&D has worked in various areas across the Panhandle. A series of local news articles are being planned to showcase current or past RC&D board members. The annual meeting will be held in March.

D. Nebraska Department of Natural Resources (NDNR)

1. NDNR Report

Keith Rexroth reported that he was elected Chair of the Nebraska Natural Resources Commission for this year. He briefly discussed that the State of Nebraska budget shortfall was a major part of the program.

E. Nebraska Board of Educational Lands and Funds (BELF)

1. BELF Report

Rexroth distributed the BELF forms for board signatures.

Natural Resources/Projects and Programs Agenda Item 11.A.3. was addressed next-John and Jaclyn Miller were present.

7. *Action to Ratify the Executive Committee's Action to Authorize the Purchase of Lots 1, 2, 3, 5A, 7 and 8, Block 2, Parkridge Addition, City of Sidney, NE

The Minutes of the Executive Committee meeting, January 18, 2010, were reviewed and approved during Agenda Item 2. Burkhardt-Kriesel moved and Rutt seconded the motion to ratify the Executive Committee's action to authorize the purchase of Lots 1, 2, 3, 5A, 7 and 8, Block 2, Parkridge Addition, City of Sidney, NE. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Halligan, Burkhardt-Kriesel, Hutchison

Nay: None

Absent: Johnson

Motion Carried.

8. The Sidney Groundwater Guardian Team 10-Year Recognition Presentation

Ogle, on behalf of the Groundwater Guardian Council, recognized Bill Taylor, Sidney Groundwater Guardian Team member and Ryan Reisdorff, SPNRD representative to the Sidney Groundwater Guardian Team for Sidney's 10 years of participation in the program. Ogle will also make a presentation during an upcoming City of Sidney Council meeting. Bill Taylor and Ryan Reisdorff discussed briefly the Sidney Groundwater Guardian program. The SPNRD has applied to become a Groundwater Guardian Affiliate, enabling the SPNRD to assist with establishing Groundwater Guardian teams in other cities and villages across the District. Rexroth thanked the City of Sidney for taking the lead and setting a good example for futures teams in the District.

9. Wellhead Protection Area Program Report

Reisdorff gave a power point presentation concerning the Wellhead Protection Area (WHPA) Program which is moving forward through a 319 grant. Bill Taylor and the City of Sidney are working with Reisdorff to complete the City's WHPA Plan this year. Plans are also being made to assist other cities and villages across the District in preparing their WHPA plans.

10. Ground Water Quality Nitrogen Management Summary Report

Kaiser was not present at the meeting.

11. Committee Reports

A. Natural Resources/Project and Programs Committee

1. Discuss Joint Water Subcommittee Meeting - February 23, 2010

Horn reviewed the draft agenda for the Joint Water Subcommittee meeting. Board members planning to attend will contact Horn. Liebig will make a presentation during the meeting on February 23, 2010.

2. *Discussion and Action as Desired Concerning the Reorganization of the District's Ground Water Advisory Committees

Hutchison reported that new prospective members for the District's Ground Water Advisory Committees have been recommended to fill various vacancies. No action will be taken at tonight's meeting.

3. Variance Advisory Group(VAG)

a. Review Requests Brought Before the VAG

b. *Action on Variance Requests Recommended by the VAG

John Miller - Pooling - Oliver Reservoir to Buffalo Bend Subarea - 54" Allocation Subarea-all tracts didn't meet 60% rule

The Variance Advisory Group met on January 19, 2010. The draft minutes were provided in the handout material. Hutchison reviewed John Miller's request to pool 391.7 CIA on four different tracts in Section 26, Township 15 North, Range 54 West, Kimball County. Three tracts: 128.5 CIA (76.8%); 68 CIA (80%); and 125.6 CIA (85.3%) met the SPNRD Districtwide Ground Water Management Area Rules and Regulations 60% rule to pool; one tract, 69.6 CIA (44.5%), did not. The VAG voted 7 in favor, 1 absent. Liebig distributed a copy of the map with Miller's requested pooling tracts. John and Jaclyn were present at the meeting and requested a variance from the rule in order to pool all four tracts. John Miller explained that due to an injury he sustained, the REA connection charge for a portion of the 69.6 CIA tract and more than usual precipitation, the tract with the side roll was irrigated very little, therefore not meeting the 60% rule. He said the well is capable of pumping the allocation. It was discussed that

the three remaining tracts were eligible for pooling. There was also carryforward on all four tracts to consider. Burkhart-Kriesel pointed out that in similar situations; the 60% rule and other pooling rules were followed. Other discussions included the flowing creek in the area, concern for protection neighboring irrigators, possibility of linking the wells together with pipe, averaging all four tracts and the need to revisit the SPNRD rules for pooling. Hutchison moved and Biggs seconded the motion to approve pooling for the three tracts 128.5 CIA (76.8%); 68 CIA (80%); and 125.6 CIA (85.3%) in Section 26, Township 15 North, Range 54 West, Kimball County, which met the 60% rule. A roll call vote was taken.

Aye: Biggs, Halligan, Burkhart-Kriesel, Hutchison

Nay: Rutt, Rexroth

Absent: Johnson

Motion Carried.

Panhandle Green Valley Ranch, Monte Herboldsheimer - Pooling - Pine Bluffs to Oliver Reservoir Subarea - 48" Allocation Subarea - all tracts met 60% rule

Hutchison reviewed Monte Herboldsheimer's request to pool 401.3 CIA: 320.6 CIA-one tract with two pivots (74.2% used); and 80.7 CIA-one pivot (98.9% used), in Sections 4 and 2, Township 14 North, Range 58 West, Kimball County, respectively. All tracts met the 60% rule. The VAG voted 7 in favor, 1 absent. Because all tracts met the SPNRD Rules and Regulations for pooling, Hutchison moved on behalf of committee and Halligan seconded the motion to approve the Panhandle Green Valley Ranch pooling request. A roll call vote was taken.

Aye: Rutt, Halligan, Burkhart-Kriesel, Hutchison, Rexroth, Biggs

Nay: None

Absent: Johnson

Motion Carried.

Tim Lukassen and Nebraska Board of Education Lands and Funds (BELF) - Pooling - Oliver Reservoir to Buffalo Bend Subarea - 54" Allocation Subarea - all tracts met 60% rule

Hutchison reviewed the Tim Lukassen and the BELF request to pool 529.1 CIA: 120.1 CIA (84%); 125 CIA (84%); and 244 CIA (91%) all owned by Lukassen with the 40 CIA (91%) owned by BELF, three pivots, in Sections 25 and 36 of Township 15 North, Range 54 West, Kimball County. Both parties signed the pooling request. All tracts met the 60% rule. The VAG voted 7 in favor, 1 absent. Lukassen and BELF have been in a pooling agreement for the south pivot. Because all tracts met the SPNRD Rules and Regulations for pooling, Hutchison moved on behalf of committee and Rutt seconded the motion to approve the Lukassen/BELF pooling request. A roll call vote was taken.

Aye: Halligan, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: Johnson

Motion Carried.

Michael Reuter - Pooling - Oliver Reservoir to Buffalo Bend Subarea - 54" Allocation Subarea - all tracts met 60% rule

Hutchison reviewed Michael Reuter's request to pool 373.1 CIA: 132.3 CIA (65%); 120.8 CIA (81%); and about 9 miles east, 120 CIA (66%), three pivot circles, in Sections 20 and 34, Township 15N, Range 55 West, and Section 32, Township 15N, Range 53 West all in Kimball County. The VAG voted 7 in favor, 1

absent. All tracts met the 60% rule. The distance factor was discussed, but since it was in the same subarea and county no rule is in question. It was discussed that there was a possibility that distance will be addressed in upcoming SPNRD rule changes. Because all tracts met the SPNRD Rules and Regulations for pooling, Hutchison moved on behalf of committee and Biggs seconded the motion to approve the Reuter pooling request. A roll call vote was taken.

Aye: Burkhardt-Kriesel, Hutchison, Biggs, Rutt, Halligan

Nay: Rexroth

Absent: Johnson

Motion Carried.

Rodman Trust - Pooling - Oliver Reservoir to Buffalo Bend Subarea - 54" Allocation Subarea-all tracts didn't meet 60% rule

Hutchison reviewed Michael Reuter's request on behalf of the Rodman Trust to pool of 803.8 CIA: 449.8 CIA (79%); 249.4 CIA (80%); 96.2 CIA (60%), three pivot circles; and a small flood field of 8.4 CIA that wasn't watered, in Sections 27, 26 and 22 of Township 15 North, Range 55 West, Kimball County. Both parties signed the pooling request. The VAG voted 7 in favor, 1 absent to approve pooling only the three tracts that met the 60% rule. Hutchison moved on behalf of committee and Burkhardt-Kriesel seconded the motion to approve pooling the three tracts that met the 60% rule: 449.8 CIA (79%); 249.4 CIA (80%); 96.2 CIA (60%) and deny pooling for the 8.4 acre tract that did not meet the 60% rule. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Burkhardt-Kriesel

Nay: None

Absent: Johnson

Motion Carried.

Jerry Gregory - Pooling - Oliver Reservoir to Buffalo Bend Subarea - 54" Allocation Subarea-all tracts didn't meet 60% rule

This variance needs more information and won't be considered at this board meeting.

Cottonwood Land and Cattle, LLC, Tim Wistrom - Pooling - Oliver Reservoir to Buffalo Bend Subarea - 54" Allocation Subarea-all tracts didn't meet 60% rule

Hutchison reviewed Michael Reuter's request on behalf of Cottonwood Land and Cattle, LLC to pool 1066.0 CIA: 89.1 CIA (75%); 135.1 CIA (79%); 29.0 CIA (10%); 64.8 CIA (46%); 44.6 CIA (81%); 85.2 CIA (69%); 41.3 CIA (74%); 138.9 CIA (57%); 121.2 CIA (49%); 127.8 CIA (51%); and 79.9 (2%) in Sections 31, 32, 29 and 30 of Township 15 North, Range 56 West; and 109.1 CIA (62%) in Section 6, Township 14 North, Range 56 West, all in Kimball County. Both parties signed the pooling request. Six of the twelve tracts met or exceeded the 60% rule; the other six tracts did not. The VAG voted 6 in favor to recommend approval of the six tracts that met the 60% rule; Adamson abstained. The Lodgepole Creek is live in the area and Cottonwood Land and Cattle, LLC has an active surface water right. Hutchison moved on behalf of committee and Biggs seconded the motion to approve pooling the six tracts that met the 60% rule: 89.1 CIA (75%); 135.1 CIA (79%); 44.6 CIA (81%); 85.2 CIA (69%); 41.3 CIA (74%) Sections 31, 32, 29 and 30 of Township 15 North, Range 56 West; and 109.1 CIA (62%) in Section 6, Township 14 North, Range 56 West, all in Kimball County and deny pooling for the six tracts that did not meet the 60% rule: 29.0 CIA (10%); 64.8 CIA (46%); 138.9 CIA (57%); 121.2 CIA (49%); 127.8 CIA (51%); and 79.9 (2%) in Sections 31, 32, 29 and 30 of Township 15 North, Range 56 West. A roll call vote was taken.

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

Deer Run LLC and NE Landholdings LLC, managed by Stan Liss - Pooling - Buffalo Bend to Sidney Subarea - 48" Allocation Subarea; and Sidney to Colorado - 54" Allocation Subarea-all tracts met 60% rule
Hutchison said the VAG took no action on this request.

4. Discuss Upcoming Procedures Regarding Industrial Accounting, Baselines and Offsets

Staff distributed points for discussion on procedures regarding Industrial accounting, baselines and offsets, replacement industrial wells, and conflicts between Rule 6.8.3 of the Districtwide GW Management Area Rules and Regulations (ground water quantity); and Rule 7.3.3 and 7.5.3.3 of the Integrated Management Plan (IMP), Jointly Developed by the SPNRD and the NDNR. Reisdorff began the discussion about industrial accounting, stating that baselines for industrial wells, per the IMP rules, need to be established for the period between the years 2001 through 2006. Once it is established, it becomes a type of allocation for that industrial well. Some industrial wells were used prior to the baseline period but not during it and had no flow meters. The second issue is replacement industrial wells; does the baseline transfer to the new well? Other issues are different interpretations of Rule 6.8.3 of the Districtwide GW Management Area Rules and Regulations; and Rule 7.3.3 and 7.5.3.3 of the IMP. Copies were provided in the handout material. The question Reisdorff raised was if more water is pumped from an industrial well than the baseline, and it is less than 25,000,000 gallons annually, who offsets the water? The 28/40 zone near the South Platte River must be offset annually, and the rest of the District is a five-year increment. Another issue is a dual-use well, a registered irrigation well where an industrial use is added and how is the industrial use offset? Some dual-use wells have baselines, so will those wells fall directly under industrial accounting. SPNRD staff held a teleconference with attorney Steven Seglin. NDNR staff was also consulted.

Hutchison suggested and it was discussed that those using the water should offset the use, rather than the NRD. The offset could be governed by the percent depletion to the stream which would be the same as or higher than the well from which the water was pumped. How could you budget for an unknown offset? Burkhart-Kriesel suggested this would limit the area from which an offset could be obtained. It was discussed that some industrial use is sporadic, on and off over a number of years, making it difficult to set a baseline.

Because this is an important issue that will need to be decided, it was advised that the staff will continue to work with Seglin to develop a consistent opinion about methods which are available to the SPNRD to bring to the board.

B. District Operations Committee

1. *Discussion and Action as Desired Concerning the Wildlife Management Areas

The committee met and recommended Wittrock work with Game & Parks Commission to pursue acquisition of Goldeneye and Goldenrod Wildlife Management Areas and to pursue other alternatives for the Bittersweet WMA (the SPNRD is not interested in acquiring Bittersweet due to lack of access to the area). Halligan moved on behalf of committee and Burkhart-Kriesel seconded the motion for Wittrock to contact Game & Parks Commission to

acquire Goldeneye and Goldenrod Wildlife Management Areas and to pursue alternatives for non-NRD ownership of the Bittersweet WMA. A roll call vote was taken.

Aye: Biggs, Rutt, Burkhart-Kriesel, Halligan, Rexroth
Nay: None
Absent: Johnson, Hutchison (temporarily out of the room)
Motion Carried.

2. *Consideration to Approve Camp Scholarships

It was discussed that the committee was in agreement to recommend approval of three scholarships to Range Youth Camp (\$275/camper) and three scholarships to Adventure Camp about the Environment (\$175/camper) and Halligan moved and Burkhart-Kriesel seconded the motion to approve the scholarships. A roll call vote was taken.

Aye: Rutt, Burkhart-Kriesel, Halligan, Rexroth, Biggs
Nay: None
Abstain: Hutchison (just came back into the room)
Absent: Johnson
Motion Carried.

3. *Consideration to Approve the March 13, 2010 Urban BMP Workshop

Discussion was held on the Urban Best Management Practices Workshop, which is a part of the 319 grant. Halligan on behalf of committee moved to approve the budget for the Urban BMP Workshop scheduled for March 13, 2010 at the SPNRD conference room, in the amount of \$1,120. Burkhart-Kriesel seconded the motion. A roll call vote was taken.

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

4. *Consideration to Approve the Budget for the Cash for Grass FY2010 Program

Halligan reviewed the FY2010 budget for the Cash for Grass Program. After discussion, Halligan moved on behalf of committee to recommend approval of the budget for the 2010 Cash for Grass Program, in the amount of \$7,500. Rutt seconded the motion. A roll call vote was taken.

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

5. *Action to Approve the Western Nebraska Children's Ground Water Festival Program and Budget

The 2010 Western Nebraska Children's Groundwater Festival proposed budget is \$8,811. 2010 is the twentieth anniversary of the festival. Reisdorff explained the WaterWise kits, \$8,500, are part of the 319 Grant. The grant will also fund some of the supplies and displays. After discussion, Halligan moved on behalf of committee and Biggs seconded the motion to approve the budget for the 2010 Western Nebraska Children's Groundwater Festival. A roll call vote was taken.

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

6. Discuss Conservation Awards Nominations Process

District policy has been to rotate counties for the Conservation Farm Award. Discussion was held that in order for deserving candidates to receive the award, it could be opened Districtwide. Ogle will continue to work with NRCS and bring a proposal to the next board meeting.

7. *Discussion and Action to Proceed with Bidding Process for the Following Purchases and Services:

a. Computer Equipment, Installation and Software

b. Rebuilding of Existing Light Fixtures in the Original SPNRD Building

Post budget computer equipment and rebuilding the existing T-12 light fixtures to newer T-8 lighting technology in the original SPNRD building were discussed. A handout was provided with the specifications for each of the purposes. On behalf of committee Halligan moved and Burkhart-Kriesel seconded the motion for staff to move forward to let bids for 2 desk top computers and one laptop and rebuilding the existing T-12 light fixtures to newer T-8 lighting technology in the original SPNRD building. Horn will bring the bids received to the next board meeting. A roll call vote was taken.

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

12. Correspondence

Various items were provided to the board either by email or in the handout material.

13. Upcoming Dates

- A. February 15, 2010 - Closed, Presidents Day
- B. February 16, 2010 - Variance Advisory Group Meeting at 6:00 p.m.
- C. February 23, 2010 - Upper Platte River Joint NRD Meeting, North Platte, NE from 11:00 a.m. CT to 3:00 p.m. CT
- D. March 6-10, 2010 - Annual NARD Washington, D.C. Trip, Embassy Suites
- E. March 13, 2010 - Urban BMP Workshop, Sidney, NE from 9:00 a.m. - 12:00 noon
- F. April 14, 2010 - Western Nebraska Children's' Ground Water Festival - Sidney, NE

14. Adjourn

With no further business the meeting adjourned at 8:15 p.m.

Linda L. Suhr, Recording Secretary

*Denotes Action Items