

## PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on May 12, 2009 at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, 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 (308) 254-2377, before the meeting.

### FINAL AGENDA

1. Call to Order - Rexroth, Chair
  - A. Nebraska Open Meetings Act
  - B. Legal Notices
2. Minutes
  - A. Minutes of the April 14, 2009 meeting of the Board of Directors
  - B. Minutes of the April 14, 2009 meeting of the District Operations Committee
  - C. Minutes of the April 13, 2009 meeting of the Natural Resources/Projects & Programs Committee
  - D. Minutes of the April 28, 2009 meeting of the SPNRD Variance Advisory Group
3. \*Treasurer's Report for April 2009 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. District Staff and Director Reports
6. Agency Reports
  - A. USDA-Natural Resources Conservation Service (NRCS)
    1. NRCS Report - Kristin Miller, D.C. - NRCS
  - B. Nebraska Association of Resources Districts (NARD)
    1. NARD Report - Johnson
  - C. Panhandle Resources Conservation and Development (PRC&D)
    1. PRC&D Report - Burkhart-Kriesel
  - D. Nebraska Department of Natural Resources (NDNR)
    1. NDNR Report - Rexroth
7. Review of the District's Chemigation Program - Wittrock
8. Report on the Western Nebraska Children's Ground Water Festival - Ogle
9. Committee Reports
  - A. Natural Resources/Projects & Programs Committee - Hutchison, Chair
    1. Variance Advisory Group
      - a. Review Request Brought before the Group
      - b. \*Action of Variance Requests Recommended by the Group
    2. Review Draft of the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portion of the Platte River Basin, Nebraska
    3. Review Proposed Amendment to Rule 9 (Overappropriated Area and Nebraska New Depletion Plan) of the SPNRD and NDNR Integrated Management Plan (IMP)

4. \*Board's Agreement in Conjunction with NDNR on the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska
5. Review Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations
6. SPNRD/NDNR Agreements on the Proposed Amendment to Rule 9 of the Integrated Management Plan (IMP)
7. \*Action to Schedule Public Hearing for Receiving Testimony on: 1) Draft Overappropriated Basin-Wide Plan; 2) Proposed Amendment to Rule 9 of the SPNRD and NDNR Integrated Management Plan (IMP); and 3) Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations
8. Discuss Issues Regarding the District's Flow Meter Maintenance Program
9. Discuss the Fort Sidney Development Group, Prairie Winds Subdivision matter pursuant to the IMP Municipal Use Accounting and Offsets Provision
10. Update on the Ground Water Quality Management Compliance Issues

B. District Operations Committee - Johnson, Chair

1. \*Action as Desired to Contract with Daniels Manufacturing regarding Rotary Ditcher
2. \*Consideration to Waive Operating Policies Number 25: Procedures for Hiring Consultants for Professional Services
3. \*Action to Transfer Funds from the CHESI Citizens' Monitoring Committee NPAIT Account to the CMC Checking Account
4. \*Discussion and Action as Desired to Designate an Administrator and Alternate Administrator responsible for the Management of the Cooperative Undertaking of the Platte Basin Habitat Enhancement Project (PBHEP)
5. Discuss Oliver Reservoir Interlocal Agreement between the District and Nebraska Game and Parks Commission

10. Platte River Basin Water Issues

- A. Aerial Geophysical Survey - Ogle
- B. South Platte River Compact Coalition - Horn

11. Correspondence

12. Upcoming Dates

- A. May 25, 2009 - SPNRD Office Closed, Memorial Day
- B. May 27, 2009 - Variance Advisory Group Meeting at 7:00 p.m.
- C. June 8-12, 2009 - Range Youth Camp
- D. June 9, 2009 - SPNRD Board of Directors Meeting at 7:00 p.m.
- E. June 18-19, 2009 - 5<sup>th</sup> Annual Conference, Nebraska Water Law - Navigating the Past, Present and Future, Lincoln, NE
- F. 2009 County Fair Dates and Locations:
  - July 26-August 2, 2009 - Cheyenne County Fair, Sidney, NE
  - August 6-8, 2009 - Deuel County Fair, Chappell, NE
  - August 6-11, 2009 - Kimball County Fair, Kimball, NE
- G. September 15-17, 2009 - Husker Harvest Days, Grand Island
- H. September 27-29, 2009 - NARD Annual Conference, Holiday Inn, Kearney

13. Adjourn

\*Denotes Action Items

## MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday May 12, 2009, 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

Paul Hutchison

Tom Biggs, Secretary

Bill Halligan

Jim Johnson

### Board Members Absent

None

### Others Present

Kristin Miller, D.C. NRCS-USDA; Doug Keller, Pine Bluffs Gravel and Excavating, Inc.

### NRD Staff Present

Rod L. Horn, General Manager

Linda L. Suhr, Admin. Sec. /Bookkeeper

Galen Wittrock, Assistant Manager

Kyle Liebig, Water Resources Coordinator

Chris Kaiser, Natural Resources Coordinator

Don Ogle, I & E Coordinator

### Information Material

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

1. Tentative and Final Agendas, SPNRD Board meeting, May 12, 2009
2. Tentative and Final Agendas, Natural Resources/Projects and Programs Committee meeting, May 11, 2009
3. Tentative and Final Agendas, District Operations Committee meeting, May 12, 2009
4. April 2009 Treasurer's Report and Accounts Payable

5. Minutes of the SPNRD Board meeting, April 14, 2009
6. Minutes of the Natural Resources/Projects & Programs Committee meeting, April 13, 2009
7. Minutes of the District Operations Committee meeting, April 14, 2009
8. Minutes of the Variance Advisory Group meeting, April 28, 2009
9. May 1, 2009 Manager's Letter
10. Staff Reports: Linda L. Suhr, Administrative Secretary; Jodi R. Livingstone, District Secretary; and Jane Joyce, Sidney Field Office Secretary
11. Flight lines for Fugro and Aeroquest AeroTEMIV
12. Final Report-2009 Western Nebraska Children's Groundwater Festival
13. SPNRD Chemigation Program Policy Manual
14. CRP Extension Information
15. VAG Recommendations from the April 28, 2009 Meeting
16. Agreement for Use of Ground Water-Smith/PBG&E/Orth
17. Approval of Variance-Smith/PBG&E/Orth
18. NPPD Electric Meter usage for E. Lyle Johnson
19. Letter to Brian Dunnigan, Director, NDNR-Agreement with NDNR on Basin-Wide Plan for Joint Integrated Water Resources Management and letter from Brian Dunnigan to Keith Rexroth
20. Outline of dates for hearing at WNCC on Tuesday, June 16, 2009 for the OA Basin-Wide Plan; Amendment to Rule 9 to the IMP; and the Districtwide Ground Water Management Area Rules and Regulations
21. Notice of Public Hearing-Basin-Wide Plan; Notice of Public Hearing-Amendment to Rule 9 to the IMP; and Notice of Public Hearing-Amendments to the Districtwide Ground Water Management Area Rules and Regulations
22. March 3, 2009 Draft-Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska
23. April 28, 2009 Draft-SPNRD Amendment to Rule 9 to the IMP
24. May 1, 2009 Draft-Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations
25. Flow Meter Maintenance and Repair Report

26. Groundwater Compliance Issues
27. May 4, 2009 letter to John Moeschel, US Army Corps of Engineers Re: contracting a rotary ditcher to clean stream channel to enable surface water to flow to Oliver Reservoir
28. April 22, 2009 letter to Clark Smith, NDEQ, Re: CHESI Permit request modification to require submittal of quarterly and annual reports for ambient air-monitoring program
29. Star-Herald Article: "CRP Income Threatened Without Contract Extensions"
30. Per Diem/Expense sheet

#### BOARD MEETING

1. Call to Order

Chair Rexroth called the meeting to order at 7:00 p.m.

- 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.

2. Minutes

- A. Minutes of the April 14, 2009 meeting of the Board of Directors

These minutes were approved as presented.

- B. Minutes of the April 14, 2009 meeting of the District Operations Committee

These minutes were approved as presented.

- C. Minutes of the April 13, 2009 meeting of the Natural Resources/Projects & Programs Committee

These minutes were approved as presented.

- D. Minutes of the April 28, 2009 Joint Meeting of the SPNRD, NPNRD, UNWNRD Boards of Directors

These minutes were approved as presented.

3. \*Treasurer's Report - April 2009 and Accounts Payable

Horn reviewed account balances as follows:

<u>Account</u>	<u>4/1/09</u>	<u>4/30/09</u>
SPNRD Checking/Repurchase	\$ 354,659.98	\$ 325,670.50
Citizens' Monitoring - combined	\$ 28,317.48	\$ 28,328.33
NPAIT-LPCSI-EQIP	\$ 229,210.86	\$ 229,299.67
NPAIT-SPRCC	\$ 55,058.43	\$ 55,079.74

Investment accounts were reviewed. Accounts payable was presented in the amount of \$92,319.79. Horn reviewed various items throughout the accounts payable. He urged the board to come into the office to view receipts/invoices and ask any questions they feel necessary. Horn noted that Clayton Shoemaker's well abandonment was included in the accounts payable. Horn explained that the Builder's Risk insurance coverage was changed to Regular coverage for the new building and remodel project and that the construction loan is in the process of being converted to a long-term loan. After discussion Burkhart-Kriesel moved and Halligan seconded the motion to approve the April Treasurer's Report and pay the accounts payable. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

4. Public Questions, Comments and/or Concerns

None.

5. Staff and Director Reports

Wittrock, Kaiser, Liebig, Ogle and Horn gave oral reports. Suhr and Livingstone prepared written reports. Suhr gave an update on the draft 319 grant project and reported that the outdoor SPNRD office and conference room signs were installed.

Wittrock

- o Initial orders for the Conservation Tree Program are filled

- Performed site-prep (rototilled)
- Re-Tree Nebraska under the SPNRD Community Forestry Program- worked with the Dalton and Gurley communities to distribute about 30 large bare root trees. He plans to monitor the trees throughout the summer and fall and evaluate the success of the program
- Some Chemigation inspections conducted
- Sprayed cattails on the Lodgepole Creek upstream from Oliver-Habitat herbicide was used- volunteers from Kimball area met and assisted Wittrock
- McRoberts Sediment and Erosion Complaint-signed conservation agreement was received from McRoberts. Wittrock followed up on some donkeys in the area of the agreement, but he said it was just a loose wire. He felt it wasn't an infraction, however Wittrock will continue to monitor the area

#### Kaiser

- Worked with Dave Schumacher to move surface water sampling site that has been dry to an actively flowing area of the Lodgepole Creek (Ron Vetter)
- Attended the High Plains Weed Management Association meeting
- GPSd flow meter and checked on producer crop in Deuel County
- Mailed hydrographs to producers
- Worked with Tom Noel, Cheyenne County Road Superintendent, to fill in a seismic test hole (24' deep) in the middle of an oil field road
- Took water levels for producer
- Serviced SPNRD vehicles
- Pumped monitoring wells
- Surface water sampled
- Entered water quality data
- Worked on nitrogen reports-followed up with producers with insufficient data submitted
- Prepared report requested by Halligan at a prior board meeting
- Performed bacteria sampling
- Assisted with the Groundwater Festival
- Assisted with the Conservation Tree Program

### Liebig

- Followed up with VAG issues
- Assisted with the Groundwater Festival
- He and Jeff Sprock, NPNRD, prepared a presentation for the GIS Conference in Kearney
- Assisted with the SPNRD landscaping project
- Worked on pivot modifications
- Worked on the Water Accounting GIS
- Assisted with the HEM flight lines-GPSd confined animals along the flight lines
- Met with Jim Cannia and Bruce Smith
- Attended a meeting regarding municipal and industrial accounting

### Horn

- Began work on the Hazard Mitigation Planning; a preliminary meeting is planned for the near future

### Ogle

- Completed the Pipeline newsletter
- Reported the Groundwater Festival was successful - Report to follow on later agenda item
- Worked on the website
- Assisted with the both flight crews-Geotech and Fugro
- Worked with the Cash For Grass Program - Kimball is interested in a 319 buffalo grass demonstration plot at the museum

### Rexroth

- Reported about the CRP extensions

## 6. Agency Reports

### A. USDA/Natural Resources Conservation Service (NRCS)

#### 1. NRCS Report

Kristin Miller, D.C., NRCS-USDA, reported working on compliance reviews for the food security

act. She is training Hilary Cook for the transition into the technical position approved by the board at a prior meeting. NRCS staff assisted with the Children's Groundwater Festival. Miller gave an update on the 2009 CRP expirations. Some extensions were approved. She said the Kimball County CCRP extensions would be available for enrollment on 10/1/09. She thought there would be no change in payment rate per acre. She discussed LPCSI-EQIP (the new payment rate is \$143/year), AWEP and other pertinent issues.

B. Nebraska Association of Resources Districts (NARD)

1. NARD Report

Johnson discussed the State Envirothon winners: (1st) Ord; (2nd) Superior; and (3rd) Bellview East, Team One. He assisted Dean Edson with interviews for the vacant NARD Information and Education position. The next board meeting will be held at the end of June.

C. Panhandle RC& D

1. PRC&D Report

Burkhart-Kriesel reported the next PRC&D meeting will be held on May 14. The RC&D state conference will be hosted at the Gering Civic Center in October. She reported that the PRC&D received an award that qualifies them to move forward to a national competition. She also voiced her concern that RC&Ds are still unsure of their funding through the farm bill.

D. Nebraska Department of Natural Resources (NDNR)

1. NDNR Report

Rexroth has a committee meeting on May 13 and a commission meeting on May 14. The group will tour the DNR facility. Perimeter fencing will be discussed at the commission meeting along with the HEM report (Horn will assist with that report).

7. Review of the District's Chemigation Program

Wittrock highlighted areas of the District's Chemigation Program. He had a Chemigation valve on display and talked about how it works. There are about 270 chemigation systems in the SPNRD. He reported that permit fees are set by Nebraska Statutes. A copy of the SPNRD Chemigation Program was provided in the information material.

8. Report on the Western Nebraska Children's Ground Water Festival

Ogle reported that 161 school children attended the 19<sup>th</sup> Western Nebraska Children's Ground Water Festival. He discussed the pre and post testing and reported that the post-test results were about 24.4% higher than the pre-test results. Total expenses were \$810.27. In-kind contributions totaled \$3,890.00.

9. Committee Reports

A. Natural Resources/Projects and Programs Committee

1. Variance Advisory Group (VAG)

a. Review Requests Brought before the Group

Hutchison reviewed recommendations from the April 28, 2009 meeting.

Offsets

Ira M. Orth, Michael R. Smith & Pine Bluffs Gravel and Excavating (PBGE), Inc.-SW¼NE¼ Section 1-T12N-R44W and S½SW¼ Section 21-T12N-R43W, Deuel County

Michael R. Smith requested a variance to use his Industrial/Commercial well G-074242 at the SW¼NE¼ Section 1-T12N-R44W, Deuel County (fully appropriated area), to allow Doug Keller with PBGE to wash aggregate. The Smith well has no history during the baseline years, 2001-2006 so an offset is proposed from Ira M. Orth's well G-030097 (overappropriated area) and 36.05 CIA located at the S½SW¼ Section 21-T12N-R43W, Deuel County. It was requested to evaluate the variance request coinciding with the date of each new allocation period. Doug Keller was present at the meeting. Hutchison reported that the VAG voted to recommend approving the variance, which was similar to other requests approved by the board for washing aggregate. Staff prepared an agreement for use of ground water and an approval of variance for the board's review. The committee had no problem with the request, pending the prepared documents being signed by all parties, and Hutchison moved on behalf of committee and Rutt seconded the motion to approve the variance request. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

Pooling

J. Leef; F. Evelyn Leef-NE¼ Section 24-T13N-R44W and SE¼ Section 24-T13N-R44W, Deuel County-20" allocation area

J. Leef and F. Evelyn Leef requested a pooling agreement. J. Leef owns well G-031283, located at the NE¼ Section 24-T13N-R44W, Deuel County, which waters her 15.0 certified irrigated acres (CIA) and F. Evelyn Leef's 109.6 CIA in SE¼ Section 24-T13N-R44W.

Melinda K. Nelsen; Rene Diaz-SW¼ NW¼ Section 17-T12N-R42W and SE¼ NE¼ Section 18-T12N-R42W, Deuel County-20" allocation area

Melinda K. Nelsen and Rene Diaz requested a pooling agreement. Melinda K. Nelsen owns well G-017076, located at the SW¼NW¼ Section 17-T12N-R42W, Deuel County, which irrigates 23.5 CIA owned by Rene Diaz located at the SE¼NE¼ Section 18-T12N-R42W, Deuel County. There is no surface water on the tract.

Hutchison reported that the VAG voted to recommend both the Leef and Nelsen/Diaz request, which are similar to requests that the board approved in the past. On behalf of committee, Hutchison moved and Burkhart-Kriesel seconded the motion to approve the Leef pooling request and the Nelsen/Diaz pooling request. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

Modification of Acres

E. Lyle Johnson and Paul Schadegg-W ½ Section 13-T12N-R43W, Deuel County-20" allocation area

Paul Schadegg, farm manager for Lyle Johnson, requested a variance to modify the CIA on the W½ Section 13-T12N-R43W, Deuel County, to certify 16.21 irrigated acres (converted flood to center pivot) to bring the total CIA from 418.10 CIA to 434.31 CIA. Proof that the area was irrigated before July 2004 was required by the VAG. Hutchison reported that the documentation of electric records requested by the VAG was received and showed the pivot had been run prior to the July 2004 deadline. The VAG

voted to approve the modification provided the requested documentation was adequate, so on behalf of committee Hutchison moved and Biggs seconded the motion to approve the E. Lyle Johnson modification. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

Quinn Farms and Alan Adamson-N½ Section 33-T15N-R56W, Kimball County-18" allocation area

On behalf of Quinn Farms, Alan Adamson requested a variance to modify the CIA on the N½ Section 33-T15N-R56W, Kimball County to include 17.49 historically irrigated acres. There are surface water rights on the property. The VAG requested proof that the area was irrigated. The VAG recommended approving the request to modify CIA and add 17.49 acres, contingent on the board receiving maps, which show irrigation history.

Alan Adamson- the NE¼ Section 31-T15N-R57W, Kimball County-16" allocation area

Alan Adamson requested a variance, to modify the CIA on the NE¼ Section 31-T15N-R57W, Kimball County to include 34.6 historically irrigated acres. There are surface water rights on the property. The VAG recommended approving the request to modify CIA and add 34.6 acres, contingent on the board receiving maps that show irrigation history.

Hutchison reported that the documentation of maps requested by the VAG was received and showed the irrigation history. Liebig will keep the documents in the files. On behalf of committee Hutchison moved and Burkhart-Kriesel seconded the motion to approve the Quinn modification and the Adamson modification. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

Sand Draw Associates-NW¼ and E½ Section 1-T15N-R55W, Kimball County- 20” allocation area

Mike Peterson, Sand Draw Associates, requested a variance to modify the CIA on the NW¼ and E½ Section 1-T15N-R55W, Kimball County by certifying 8.41 irrigated acres.

Hutchison reported that more information was requested including the physical length of the pivot with the extension. The VAG tabled the issue until further documentation was provided.

2. Review Draft of the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portion of the Platte River Basin, Nebraska

The committee reviewed the draft and had no problem with the draft document.

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

The committee reviewed the draft and had no problem with the draft document.

4. \*Board’s Agreement in Conjunction with NDNR on the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska

A letter agreeing with NDNR to move forward with the Basin-Wide Plan for the Overappropriated (OA) Portions of the Platte River Basin, Nebraska, included in the information material, was discussed. If approved it will be signed by Rexroth, Chair, and mailed to Brian Dunnigan, Director, NDNR. Hutchison moved on behalf of committee and Burkhart-Kriesel seconded the motion that agreement has been reached with NDNR on the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

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

The committee had no problem with the proposed amendments to the Districtwide Ground Water Management Area Rules and Regulations.

6. SPNRD/NDNR Agreements on the Proposed Amendment to Rule 9 of the Integrated Management Plan (IMP)

The committee once again reviewed the proposed amendment to Rule 9 of the IMP. A letter was received from NDNR agreeing to the proposed amendment to Rule 9 of the IMP and to schedule a public hearing.

7. \*Action to Schedule Public Hearing for Receiving Testimony on: 1) Draft Overappropriated Basin-Wide Plan; 2) Proposed Amendment to Rule 9 of the SPNRD and NDNR Integrated Management Plan (IMP); and 3) Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations

Hutchison and the committee reviewed the schedule for the public hearings and were in agreement to recommend approval of the schedule. Hutchison moved and Biggs seconded the motion to approve scheduling the public hearings: 1) Draft Overappropriated Basin-Wide Plan; 2) Proposed Amendment to Rule 9 of the SPNRD and NDNR Integrated Management Plan (IMP); and 3) Proposed Amendments to the Districtwide Ground Water Management Area Rules and Regulations, to be held on June 16, 2009 at Western Nebraska Community College in Sidney at beginning 7:00 p.m. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

8. Discuss Issues Regarding the District's Flow Meter Maintenance Program

Hutchison reported the committee discussed the District's flow meter maintenance program. Liebig proposed various scenarios. His concern was with the varied rates charged by contractors for the SPNRD flow meter maintenance program. One of the scenarios included work to be performed by the SPNRD. This agenda item will be discussed further at a later board meeting.

9. Discuss the Fort Sidney Development Group, Prairie Winds Subdivision matter pursuant to the IMP Municipal Use Accounting and Offsets Provision

Discussion was held about the irrigation well that the city took over in the Prairie Winds Subdivision. Liebig will contact the contractor for a timeline to decommission the well.

10. Update on the Ground Water Quality Management Compliance Issues

Compliance issues were discussed. Staff will follow up with regular procedures outlined in the SPNRD Rules and Regulations.

B. District Operations Committee

1. \*Action as Desired to Contract with Daniels Manufacturing regarding Rotary Ditcher

Johnson reported the committee was in agreement to recommend proceeding with the project to contract for a rotary ditcher to redefine the Lodgepole Creek channel (on SPNRD property) to open flows into Oliver Reservoir. It was discussed that a cap of \$3,500 be set for the project. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to authorize staff to proceed with the project to contract with Daniels Manufacturing, with a cap of \$3,500. A roll call vote was taken.

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

Nay: None

Absent: None

Motion Carried.

2. \*Consideration to Waive Operating Policies Number 25: Procedures for Hiring Consultants for Professional Services

Johnson explained the committee's discussion to waive the policy on a one-time basis so that Liebig can move forward with the Water Accounting GIS project to hire a consultant. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to waive the SPNRD Operating Policies Number 25 on a one-time basis to move forward with the Water Accounting GIS project. A roll call vote was taken.

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

Nay: None  
Absent: None

Motion Carried.

3. \*Action to Transfer Funds from the CHESI Citizens' Monitoring Committee NPAIT Account to the CMC Checking Account

Johnson said the committee discussed the transfer of funds, which is similar to transfers in the past from the NPAIT account into the CMC checking account to pay MILCO invoices for consulting services. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to authorize the transfer of funds in the amount of \$2,127.78. A roll call vote was taken.

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

Motion Carried.

4. \*Discussion and Action as Desired to Designate an Administrator and Alternate Administrator responsible for the Management of the Cooperative Undertaking of the Platte Basin Habitat Enhancement Project (PBHEP)

The committee requested that a final interlocal agreement be brought before the board for approval. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to designate Rod Horn as Administrator and Kyle Liebig as Alternate Administrator for management of the cooperative undertaking of the PBHEP, with any agreement documents to be brought to the board for approval. A roll call vote was taken.

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

Motion Carried.

5. Discuss Oliver Reservoir Interlocal Agreement between the District and Nebraska Game and Parks Commission

To date nothing has been received from the Game and Parks Commission office, although the information was provided to them several months ago. Wittrock spoke with Jim Fuller, Administrative Director of the Parks Division, and Horn plans to meet with Jim Fuller later this week to facilitate some action on the agreement.

10. Platte River Basin Water Issues

A. Aerial Geophysical Survey

Ogle reported that Geotech used the spiderweb array to survey geology in the SPNRD-at no cost. Fugro also flew the same area. A handout was provided by Ogle, indicating the flight lines. Horn added that the efforts of Thad Kuntz, NPNRD/SPNRD COHYST modeler, were instrumental in promoting and encouraging the technology to be demonstrated in the SPNRD.

B. South Platte River Compact Coalition

Horn updated the board on progress of the South Platte River Compact Coalition.

11. Correspondence

Horn referred to correspondence material distributed.

12. Upcoming Dates

A. May 25, 2009 - SPNRD Office Closed, Memorial Day

B. May 27, 2009 - Variance Advisory Group Meeting at 7:00 p.m.

C. June 8-12, 2009 - Range Youth Camp

D. June 9, 2009 - SPNRD Board of Directors Meeting at 7:00 p.m.

E. June 18-19, 2009 - 5<sup>th</sup> Annual Conference, Nebraska Water Law - Navigating the Past, Present and Future, Lincoln, NE

F. 2009 County Fair Dates and Locations:

July 26-August 2, 2009 - Cheyenne County Fair, Sidney, NE

August 6-8, 2009 - Deuel County Fair, Chappell, NE

August 6-11, 2009 - Kimball County Fair, Kimball, NE

- G. September 15-17, 2009 - Husker Harvest Days, Grand Island
- H. September 27-29, 2009 - NARD Annual Conference, Holiday Inn, Kearney
- 13. Adjourn

With no further action, the meeting was adjourned at 9:42 p.m.

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Linda L. Suhr, Recording Secretary

\*Denotes Action Taken