

PLATTE RIVER BASIN COALITION (PBC) COMMITTEE MEETING

Thursday, June 15, 2023, 1 p.m. Central Time
Twin Platte Natural Resources District
111 S Dewey St. North Platte, NE 69101

MEETING MINUTES

- 1. Called to Order**, by Kent Miller (TPNRD), chair, at approximately 1:00 pm CDT. *As directed by state statute, the Open Meetings Act was displayed during the meeting.*

- 2. Roll Call of the PBC ILCA Representatives**

Kent Miller*, TPNRD	Jennifer Schellpeper*, NeDNR
Galen Wittrock*, SPNRD	Lyndon Vogt*, CPNRD
John Thorburn*, TBNRD	Scott Schaneman*, NPNRD

* PBC ILCA voting representatives

Others in Attendance

Avery Dresser, NeDNR	Ryan Kelly, NeDNR
Caitlin Kingsley, NeDNR	Travis Preston, NPNRD
Ryan Reisdorff, SPNRD	Shelly Julian, NeDNR
Connor Nichols, NeDNR	

Shaded areas indicate online attendees.

- 3. Publication of Meeting Notices** ([Attachment 3](#))

- North Platte Telegraph: June 3, 2023
- Sidney Sun-Telegraph: June 8, 2023
- Grand Island Independent: June 3, 2023
- Kearney Hub: June 3, 2023
- Scottsbluff Star Herald: June 3, 2023

- 4. Agenda approval** ([Attachment 4](#))

MOTION: To approve the June 15, 2023, agenda.

Move: Galen Wittrock (SPNRD)

Second: Jennifer Schellpeper (NeDNR)

Discussion: None

Motion approved

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5. Approval of the April 6, 2023, Minutes (*Attachment 5*)

MOTION: To approve the April 6, 2023, minutes.

Move: Lyndon Vogt (CPNRD)

Second: Scott Schaneman (NPNRD)

Discussion: None

Motion approved

NeDNR will distribute the approved April 6, 2023, minutes and post on the DNR website.

6. Contract #571 Discussion and Approval (*Attachment 6*)

MOTION: To approve Contract #571.

Move: Lyndon Vogt (CPNRD)

Second: John Thorburn (TBNRD)

Discussion: Scott Schaneman (NPNRD) requested clarification of a couple sections of the contract. Regarding the language on page 4, section 5.01.1.9, Jennifer Schellpeper (NeDNR) confirmed conservation easements are not required, a decertification agreement is sufficient. Regarding the language on page 6, section 6.02.5, Jennifer Schellpeper (NeDNR) clarified studies are reimbursed under a different fund which requires a 50/50 split, and the 40% NRD portion of WRCF-funded projects can include contributions by another source, e.g., a federal partner.

Motion approved

Kent Miller (TPNRD), Schott Schaneman (NPNRD), and Lyndon Vogt (CPNRD) signed the contract. Bill Halligan (SPNRD) signed the draft contract in advance of the meeting. NeDNR will distribute the signature page to John Thorburn (TBNRD) for signature following board approval, present the contract to the Department's Director (Tom Riley) for final signature and distribute the final contract.

7. Contract #571A (Conservation Study Tillage Survey with TFG) Amendment 2 Discussion and Approval (*Attachment 7*)

MOTION: To approve Contract #571A Amendment 2.

Move: Jennifer Schellpeper (NeDNR)

Second: Scott Schaneman (NPNRD)

Discussion: Ryan Kelly (NeDNR) explained the amendment is only to extend the term of the contract with no other changes.

Motion approved

Kent Miller signed the contract amendment on behalf of the PBC. Marc Groff (TFG) signed the draft contract amendment in advance of the meeting.

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8. Budget Update (NeDNR)

A. General Updates

i. Years 7-9 (*Attachment 8Ai*)

a. The only change was updating NPNRD Contract #1341, previously Contract #934 on the spreadsheet. Contracts #925 and #934 are in internal development with NeDNR legal, hope to have back to NPNRD by next week.

i. Jennifer requested information on permanent retirement change in acres from NPNRD, original analysis of change in water use.

b. Ryan Kelly (NeDNR): EPIC contract should be ready by next week.

i. Shelly Julian (NeDNR): If invoices are received shortly after, reimbursements could likely be dispensed this fiscal year.

ii. FY 2023-2024 (*Attachment 8Aii*)

a. Same projects as listed previously. Includes years 10-11 of project budget, year 12 budget will be disbursed on a first-come, first-serve basis as projects are received.

iii. Studies (*Attachment 8Aiii*)

a. NeDNR presented the attachment showing the updated studies budget. The only changes from the budget presented at the prior (April 6, 2023) meeting involve the inclusion of the HDR and TFG invoices submitted for approval at this meeting.

B. Invoices

i. HDR Invoices (for Drought Contingency Plan Development – Status Report from HDR included as *Attachment 8Bi*):

a. HDR Invoice #1200500662 (*Attachment 8Bia*)

b. HDR Invoice #1200509083 (*Attachment 8Bib*)

c. HDR Invoice #1200516373 (*Attachment 8Bic*)

d. HDR Invoice #1200524666 (*Attachment 8Bid*)

MOTION: *To approve the HDR invoices for development of the Upper Platte Drought Contingency Plan.*

Move: John Thorburn (TBNRD)

Second: Jennifer Schellpeper (NeDNR)

Discussion: None

Motion approved

NeDNR will distribute the invoices to NRDs for payment.

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ii. TFG Invoices:

- a. Contract 571A (Conservation Study Phase IV) – TFG Invoice #23-3187 (*Attachment 8Biia*)
- b. Contract 571C (Robust Review) – TFG Invoice #23-3188 (*Attachment 8Biib*)

MOTION: To approve the TFG invoices for efforts on the Conservation Study Phase IV and 2023 Robust Review.

Move: Lyndon Vogt (CPNRD)

Second: Scott Schaneman (NPNRD)

Discussion: None

Motion approved

NeDNR will distribute the invoices to NRDs for payment.

C. New Budget Requests

i. NPNRD Temporary Surface Water/Comingled Retirement Reimbursements

- a. Dan Gueck/Dan Gueck Construction (*Attachment 8Cia*)
- b. LRK Farms, Inc. (*Attachment 8Cib*)
- c. Conrad Steven Schaneman (*Attachment 8Cic*)
- d. Report for Application for a Change of Appropriation (ARI) - study for Gueck/LRK/Schaneman leases (*Attachment 8Cid*)
- e. Ruth J. Hamilton Cooper Canal (*Attachment 8Cie*)
- f. Hamilton Surface Water Lease Historic Consumptive Use Analysis (*Attachment 8Cif*)

Landowner	NPNRD Portion (40%)	WRCF Portion (60%)	Total (100%)
Gueck	\$12,804.00	\$19,206.00	\$32,010.00
LRK Farms	\$15,870.00	\$23,805.00	\$39,675.00
Schaneman	\$7,530.00	\$11,295.00	\$18,825.00
Hamilton	\$15,300.00	\$22,950.00	\$38,250.00
Combined Total	\$51,504.00	\$77,256.00	\$128,760.00

MOTION: To approve the NPNRD funding request for the four temporary retirement/recharge projects summarized in the

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table above. The total amount of WRCF reimbursement requested is \$77,356.00 of the total \$128,760.00 project cost. The time frame for payment is 9/08/2022 through 7/30/2027, as described in the attached memos.

Move: Galen Wittrock (SPNRD)

Second: Lyndon Vogt (CPNRD)

Discussion: Scott gave an overview of the projects. All are reimbursements for temporary retirements of surface-water-only and comingled acres. All except Hamilton and Gueck are renewals of prior projects that received PBC funds. Hamilton project is a renewal as well but did not previously receive PBC funds. Gueck, Schaneman, and LRK retirements are to provide flow from Enterprise Canal into the Enterprise recharge project. Hamilton is on Hooper Canal. Jennifer: we will need to make sure the acreage reserve program doesn't apply, and everything is correct with Mike Thompson's group (NeDNR Permits & Registrations) during the contracting process prior to disbursing any reimbursement.

Motion approved

NeDNR will work with NPNRD to develop a contract for reimbursement and distribute the final contract.

D. Discussion of Additional Projects for August 3, 2023, PBC Meeting

- i. CPNRD and TBRND discussed projects that they will plan to submit proposals for at the August 3, 2023, meeting as these proposals were not included on the agenda for the present meeting.
- ii. The CPNRD project will involve decertification agreements with two landowners that have been completed. Net benefit to the river has been calculated.
- iii. The TBNRD project is a net recharge tool – a module of the COHYST model that would enable TBNRD to look at all inputs and outputs in groundwater supply on a township-by-township basis. Would be useful to see the local water supply, possibly also for excess flows.

9. Ongoing Project Activities/Operations—Obligated and Remaining Expenditures

A. CPNRD

- i. Cozad ditch began taking excess flows yesterday because they had not sent water down any laterals yet. 30-mile has increased the

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water they are taking, they are having a difficult time getting water to the tail-end of their canal. The excess flow is helpful for that. Will also be sending some down their laterals when the canal is full.

B. TBNRD

- i. Took some excess flows in May, went into 4 federal wetlands. As of last Friday, started taking water again. May have another week of excess flows. Cottonwood Ranch recharge facility got a good amount of water as well. Operated wells for about 6 weeks from late March through mid-May.

C. TPNRD

- i. Have been taking excess flows for irrigation districts that have pits/storage ponds.

D. NPNRD

- i. Had opportunity to divert water into Enterprise recharge pits earlier this year before rain fell. After the rain, the canal was shut off.

E. SPNRD

- i. Took excess flows into the reuse pits.

F. NeDNR

- i. We have the decision support system (DSS) for saying when excess flow event is happening, and when it is closing. Working with consultant to add new features. Some relevant to this group – communications from Jeremy will come through the DSS system, which will make keeping track of actual dates easier for future modeling efforts. Dates will be tracked in the DSS database. Provisional data will go to NRDs through DSS when excess flows close for review and approval. Have gone through the system with Thad Kuntz (ARI) and Ryan Reisdorff (SPNRD) to get feedback on potential improvements. NRDs and Irrigation Districts also need to be aware that what goes into annual operating plans (AOP) is important because we use that as evidence of when irrigation season begins/ends. For instance, this year people were operating differently because it was so dry. Need to differentiate between what is excess flow and what is operating for normal irrigation purposes. Will be conservative in determining if something is excess flow or not based on the evidence available to support that. Therefore, when completing the AOP the applicant should be as descriptive as possible to account for multiple possibilities.

1. Scott: How can we know what to put in the plan if we don't know what irrigation district will do in advance?

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2. Jennifer suggested speaking with irrigation districts. Need to have evidence to support when it is for normal operations and when for actual excess flows.
3. Lyndon gave example of more trash in canals due to more no-till as an instance where management actions can change quickly, e.g., if can't burn may try to flush out with water.
4. Jennifer: The more facts we have about how decisions are made the better we can support whether diversions were made for excess flows or not.
5. Scott asked if what is taken down laterals before the irrigation season after the main canal is full might be considered excess flows. Jennifer confirmed that could potentially be the case if it could be supported with evidence from the irrigation district and captured in the AOP.

10. Public Comment

None

11. 2023 Scheduled Meetings:

- August 3, 2023
- October 5, 2023
- December 7, 2023

12. Wrap-up, questions, action items, next steps

None

13. Adjourn at approximately 1:49 p.m. CDT.

Action Items:

- NeDNR will distribute the approved April 6, 2023, minutes and post on the DNR website.
- John Thorburn will sign Contract #571 and return to NeDNR.
- NeDNR will present Contract #571 to the Department's Director (Tom Riley) for final signature and distribute the final contract.
- NPNRD to send information on permanent retirement change in acres, original analysis of change in water use for Contracts #925 and 934 to NeDNR.
- NeDNR to send the 4 approved HDR invoices (total costs of \$4,734.11, \$19,398.44, \$50,993.74, and \$17,692.84) to the NRDs for payment.

Minutes

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- NeDNR to send the 2 approved TFG invoices (total costs of \$24,480.00 and \$11,860.00) to the NRDs for payment.
- NeDNR will work with NPNRD to develop a contract for reimbursement of the approved temporary surface water/comingled lease projects and distribute the final contract.
- NRDs to bring forward eligible Years 10-12 projects in a timely fashion to assist in meeting their IMP goals. New projects will be approved on a first-come, first-serve basis.