

2022 WATER USE VALIDATION PROJECT

GRANT APPLICATION

Applicant:

Twin Platte Natural Resources District
111 South Dewey Street
North Platte, Nebraska

Project Manager:

Kent Miller, General Manager
Twin Platte Natural Resources District
111 South Dewey Street, North Platte, Nebraska
308-535-8080, komiller@tpnrd.org

Submitted for the:

WaterSMART Water Conservation Field Services Program
Funding Opportunity R21AS00300

March 18, 2020



TABLE OF CONTENTS

Acronyms and Abbreviations.....	iii
1.0 Technical Proposal.....	1
1.1 Executive Summary	1
1.2 Project Location	2
1.3 Project Description.....	2
1.4 Evaluation Criteria.....	5
2.0 Project Budget.....	10
2.1 Funding Plan and Letters of Commitment.....	10
2.2 Budget Proposal	10
2.3 Budget Narrative	11
3.0 Environmental and Cultural Compliance	12
4.0 Required Permits or Approvals	12
5.0 Letters of Project Support.....	12
6.0 Official Resolutions	13

LIST OF FIGURES

Figure 1 Project Location Map	2
Figure 2. Irrigation Well Flow Meters Installed Across the TPNRD in 2020, 2021 and the proposed locations for the meters schedule for installation in 2022.	3
Figure 3. Crop Irrigation Water Use Measured by Flow Meter Compared to Water Use Estimated Using Electrical Usage Data For the 2020 Irrigation Season.....	4

LIST OF TABLES

Table 1 Funding Plan Attachments	10
Table 2 Total Project Cost Table.....	11
Table 3. Budget Proposal.....	11
Table 4 Letters of Project Support Included as Attachments.....	13
Table 5 Official Resolutions Included as Attachments.....	13

ATTACHMENTS

- Attachment 1 Integrated Management Plan Jointly Developed by the TPNRD and NeDNR, August 8, 2019.
- Attachment 2 Board of Directors Meeting Minutes, September 2020
- Attachment 3 TPNRD FY2021 Budget
- Attachment 4 Letter of Support Dated 1/25/2018 from TPNRD to NeDNR
- Attachment 5 Letter of Support Dated 2/12/2018 from NeDNR to TPNRD
- Attachment 6 Letter of Support Dated 8/8/2019 from TPNRD to NeDNR
- Attachment 7 TPNRD Board Resolution Approving the IMP and the Water Use Controls Defined in the Planning Document

ACRONYMS AND ABBREVIATIONS

BOR	Bureau of Reclamation
EQIP.....	Environmental Quality Incentive Programs
IMP.....	Integrated Management Plan
LoRaWAN	Long Range Wide Area Network
NeDNR.....	Nebraska Department of Natural Resources
NRCS.....	Natural Resources Conservation Service
Twin Platte NRD.....	Twin Platte Natural Resources District

1.0 TECHNICAL PROPOSAL

1.1 Executive Summary

The Twin Platte Natural Resources District (TPNRD), located in western Nebraska, will install 30 flow meters on irrigation wells across the District to validate the water use estimates they are making based on electrical usage. The project will leverage new radio frequency data transmission technology called Long Range Wide Area Network (LoRaWAN) to support collection and transmission of real-time water use data. The TPNRD has computed the cost difference between using electrical usage data versus traditional irrigation well flow meter data to track water use district wide. For the roughly 3,100 irrigation wells in the TPNRD, the cost of using electrical usage data to monitor water usage is estimated to be approximately \$4.6 million over ten years. However, the cost of employing and maintaining mechanical flow meters in every irrigation well over the same ten-year period is estimated to be \$12.9 million. This project is expected to help provide savings of as much as \$8 million over the 10-year span of the TPNRD's, State of Nebraska approved, Integrated Management Plan (IMP). The benefits of the project are water use compliance with the State of Nebraska's IMPs and a significant cost savings over the use of mechanical flow meters. Additionally, using the LoRaWAN network, irrigation water use will be based on real-time estimates of crop water requirements instead of water application based on past practices. The irrigation well flow meters are scheduled for installation in the spring of 2022 so that the flow meter data collected during the summer irrigation season can be used to validate the water use estimated by the electrical usage data.

The TPNRD is a groundwater management district with taxing authority across portions of Lincoln, Keith, McPherson, and Arthur Counties headquartered in North Platte, Nebraska. It is a Category A applicant and as such is submitting this application on March 18, 2021 for a WaterSMART Water Conservation Field Services Program Grant to fund the 2022 Water Use Validation Project.

1.2 Project Location

The TPNRD is located in western Nebraska along both the North and the South Platte Rivers with 13 communities and a population of 44,331 spread across 2,746,016 acres. The TPNRD is a local government entity with broad responsibilities to protect the natural resources of the district. One of the main functions of the TPNRD is to sustainably manage its groundwater resources. This Water Use Validation Project is designed to augment the water use project deployed in 2020 to estimate irrigation water use across the entire 2,746,016 acres.

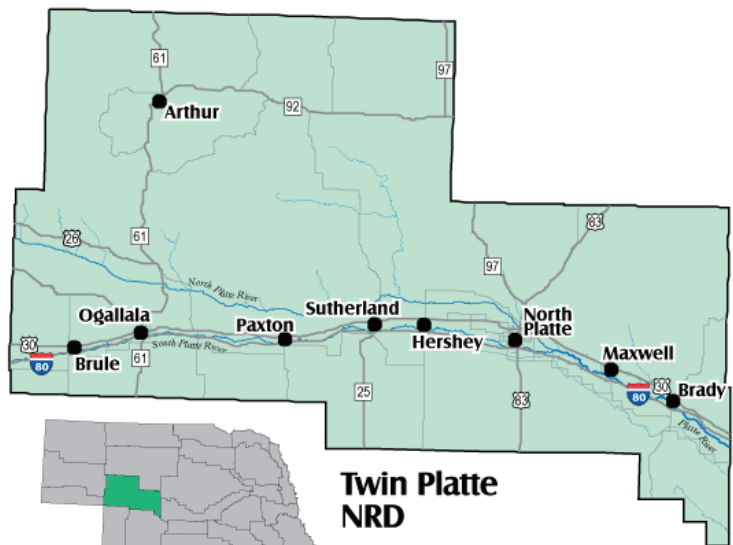


Figure 1 Project Location Map

1.3 Project Description

This project is an extension of the TPNRD’s Water Data Program whereby the TPNRD is required to report groundwater use to the Nebraska Department of Natural Resources (NeDNR) annually. The program evolved from the district’s surface and groundwater planning process, or IMP, that included a 10-year plan to reduce groundwater usage and to “put water back” in the Platte River. For 2020-2029, the second 10-year increment of the IMP (Attachment 1), the TPNRD decided to collaborate with growers, power companies, and tech companies to collect daily electrical data and translate the power usage into water use.

Under the larger Water Data Program, the Water Use Validation Project’s purpose is to strategically employ flow meters throughout the District to confirm the estimates of water use based on electrical usage. This piece of the Program is vital because it will provide support for the TPNRD’s decision not to pursue a costly and inefficient District-wide flow

meter program on all irrigation wells, but instead leverage existing electrical data and new technology to derive water use estimates. In 2020 and 2021, flow meters were installed in 60 irrigation wells across the heavily irrigated portions of the TPNRD (Figure 2). For the 2022 Water Use Validation project, an additional 30 irrigation well flow meters will be installed to validate water use in areas not covered by the flow meters installed in 2020 and 2021. Figure 2 illustrates the proposed locations for the flow meters to be installed in 2022.

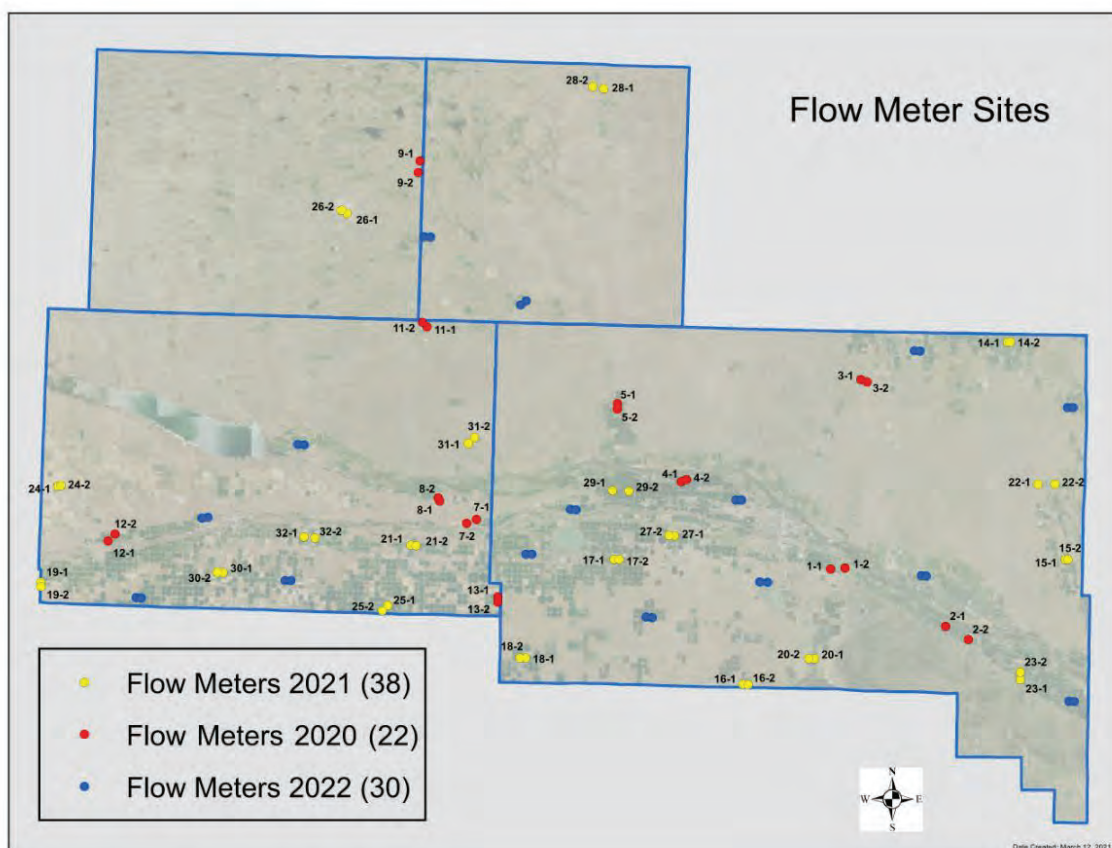


Figure 2. Irrigation Well Flow Meters Installed Across the TPNRD in 2020, 2021 and the proposed locations for the meters schedule for installation in 2022.

The 60 flow meters deployed in 2020 and 2021 have already been successful in terms of acting as a comparison dataset to the water usage estimates derived from electric records. The flow meter data can be viewed in the cloud-based, online platform called the Groundwater Manager’s Portal, which has been specifically tailored to the TPNRD. As

seen in Figure 3, the estimates of water use at one well for the 2020 irrigation season compare very well. Over the time period, there is less than a 4% difference in total gallons of water used. Examples like this prove that the electrical water use methodology can be successfully applied across the TPNRD. Additionally, should there be examples where estimates do not compare favorably, the methodology can be calibrated to provide more accurate results. Overall, the Water Use Validation project is a very powerful tool to the TPNRD to verify the reliability of the Water Data Program.

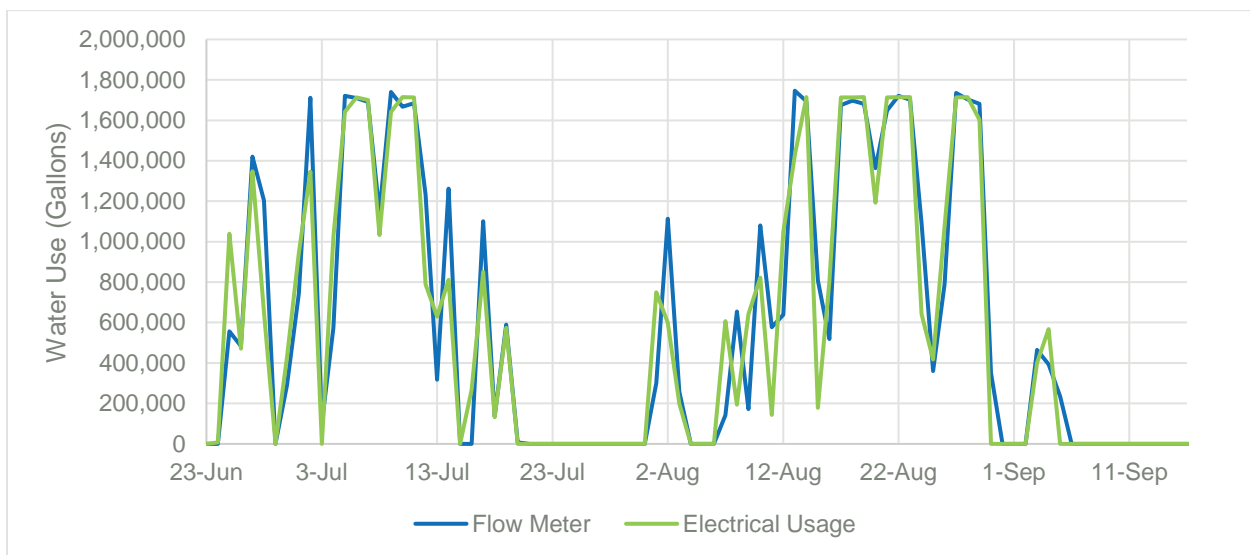


Figure 3. Crop Irrigation Water Use Measured by Flow Meter Compared to Water Use Estimated Using Electrical Usage Data For the 2020 Irrigation Season.

There are two main tasks to complete this project, equipment purchases and equipment installation.

Task 1 Equipment Purchase

There are three pieces of equipment that will be purchased for the project. A flow meter that is compatible with the irrigation equipment used onsite. A flow meter vane used to measure flow in the irrigation pipe and the wireless equipment to transmit the measurements.

Task 2 Installation of Equipment

At each site, the vendor that services the irrigation equipment will be contracted to install a new flow meter. After the flow meter is installed, a TPNRD staff member will install the wireless transmitter.

Once the equipment is installed, the TPNRD will collect the data and use it to validate the water use estimates based on the electrical records and report the validated water use data to NeDNR.

1.4 Evaluation Criteria

Criteria A – Project Benefits

There are several expected benefits and outcomes of implementing the Water Use Validation project. The following are the primary benefits the residents of the TPNRD and beyond stand to gain:

The proposed project will improve overall water supply reliability by providing real time water use estimates to growers so they can adjust their irrigation water pumping. In the past, growers would schedule their irrigation systems based on weather forecasts and past practices. Although the growers were aware of the need to be conservative in their water use, there was a tendency to apply more water to ensure crop yield was not compromised. This project will provide the growers with real-time water usage data that will be available to the growers through an app on their smart phones. By providing the growers with this real-time water use data, adjustments to water application can be based on actual crop water demands.

It is expected that the consumptive water use savings realized through this project will be recognized not only locally, but throughout the North Platte River Basin and beyond. On the farm, water conservation will not only reduce the water use reported to the NeDNR bringing the TPNRD into compliance with the IMP, on farm financial benefits will be realized by reduced irrigation and therefore power consumption. This will provide a net cost savings to the grower. In Wyoming, upstream of the TPNRD, are the Bureau of Reclamation (BOR) projects Glendo, Guernsey, Pathfinder, and Seminoe. Over time,

these projects will realize the benefits of reduced irrigation demand and as such, water will remain in the reservoirs for others to use in times of need.

This project has already increased education and collaboration among water managers in the region. Growers have joined a cooperative to access an online farming data platform called AgHub. AgHub is already being used across the TPNRD and informs growers of their water use on a field-by-field basis. It also allows growers to enter farm management data for each field such as crop type and tillage practice. It amplifies collaboration between growers and the TPNRD by providing them with the tools they need to meet their IMP goals. With this real-time data, the TPNRD will enhance their ability to make proactive decisions about their water management using current conditions.

The Nebraska Environmental Trust acknowledged the collaboration and information sharing that will be recognized with this project. They granted the TPNRD \$68,000 to produce an educational documentary about this new way to track groundwater use. The TPNRD sits on top of the world's largest groundwater reservoir known as the High Plains (or Ogallala) Aquifer. Until now, growers in the TPNRD have not had an efficient way to measure water use in real time. The most common way of tracking groundwater use in Nebraska is with flow meters. The current use of flow meters is expensive, and flow meters become less accurate over time as the mechanical parts wear. This Water Use Validation Project uses a new approach that is cost-effective for tracking groundwater use, allows the grower to know the daily amount of water used, and provides water use data that the TPNRD can use for annual reporting. Telling the story of how integrating various technologies like electrical usage smart meters, LoRaWAN, and cloud computing can save water is extremely important in sustaining the groundwater resources of the district. The Nebraska Environmental Trust sees the wide-ranging implications this project has and supports the development of a video so that others will be aware of the techniques.

There are numerous positive impacts and benefits to local sectors and economies that will be realized by this project. Benefits to agriculture, the environment, recreation, and tourism all stand to see positive outcomes as water conservation efforts are realized. The

agricultural benefits were described above and as water scarcity is forecast to only increase with time, the benefits of water conservation will become more important. Recreators will recognize the benefits of retaining water in the upstream reservoirs which will increase tourism in and around the BOR reservoirs (Glendo, Guernsey, Pathfinder, and Seminoe).

The Water Use Validation Project will complement work done in coordination with the Natural Resources Conservation Service (NRCS) in the area. Although project implementation is not directly connected to the NRCS programs, one of the outcomes of the project is to provide growers real time water use information. Many of these growers cooperate with NRCS with on-farm efficiency projects and access to real-time water use data may influence their participation in on-farm efficiency work in the future using NRCS EQIP or other programs.

Criteria B – Planning Efforts Supporting the Project

This project was developed in direct support of the integrated groundwater and surface water planning effort completed by the TPNRD and the NeDNR. Specifically, following the passage of LB962 in 2004, the TPNRD and the NeDNR jointly adopted an IMP in 2009 which provided for an initial 10-year increment of joint planning activities. During this 10-year increment two overarching activities were carried out:

- 1) The TPNRD implemented various activities to provide offset water to the Platte River in amounts specified in the original IMP, and
- 2) The TPNRD and the NeDNR completed a Robust Review as outlined in the IMP to reassess the amount of offset water the TPNRD should be required to provide to achieve the Goals and Objectives of the IMP.

A key shortcoming of the previous management strategy that was identified by stakeholders consulted in development of the second increment IMP was that water use was not being directly measured in any way. Moreover, the lack of direct measurements of water use caused key assumptions to be embedded in the Robust Review methodology. After careful consideration of the different options, the TPNRD and the NeDNR agreed that the approach outlined in the Water Use Validation Project would

significantly improve water management efforts in the TPNRD and provide a superior approach to completing the next Robust Review. The basic components of this new Robust Review method are:

- 1) Leveraging power usage data as an indicator of groundwater pumping,
- 2) Calibration of the power record data against direct pumping rate measurements to compute an estimate of actual groundwater pumping,

The Water Use Validation Project will support implementation of the first goal of the IMP. Specifically, in the plan, Goal 1 is to “Reach and Maintain a Fully Appropriated Condition” and this is to be accomplished achieving the following objective:

“Within this increment of this IMP, implement measures to address impacts of streamflow depletions to surface water appropriations and water wells constructed in aquifers dependent upon recharge from streamflow to the extent those depletions are due to water use initiated after July 1, 1997.”

The “measures to address impacts to streamflow depletions” are to reduce groundwater usage in the areas where groundwater and surface water are connected. This Water Use Validation Project will directly translate to “getting water back to the river” by reducing the demand of irrigation water wells.

The importance of this project cannot be overstated. According to the general manager of the TPNRD, “This project is the number one priority of the district.”

Criteria D – Project Implementation

Project implementation is very straightforward. In the winter months, the TPNRD will begin working with landowners where the flow meters are scheduled for installation. Once cooperating landowners are identified, equipment purchases will begin. Working this way over the winter months means that in the spring, installation can be completed before the irrigation season begins. The project schedule will be deemed a success if data collection begins on or before the irrigation season so that a full season of water use data can be collected. This schedule is based on two seasons of experience collaborating, purchasing, and installing similar equipment in 2020 and 2021. With the experience

gained over the two previous seasons, the staff at TPNRD are confident the 2022 Water Validation Project can be implemented on schedule.

No permits are required for this project and therefore no permitting is included in project implementation. Additionally, there is no engineering or design work to be performed in support of the proposed project. Flow meters are selected based on the pivot type and are installed according to the manufacturer's instructions.

There are no new policies or administrative actions required to implement the project. And there is no timeline for completion of environmental and cultural resource compliance because no environmental or cultural reviews are necessary for project implementation.

Criteria D – Nexus to Reclamation

Although the Water Use Validation Project is not directly tied to any BOR projects or activities, there are indirect benefits that will be realized. The TPNRD does not directly receive Reclamation project water, however, the discharges from Glendo, Guernsey, Pathfinder, and Seminoe flow through the district in the North Platte River. The project is not on Reclamation project lands or involving Reclamation facilities however, the project is in the North Platte Basin along with Glendo, Guernsey, Pathfinder, and Seminoe. As stated above, the benefits to these BOR reclamation projects is through the water conservation efforts that will be realized by the growers in the TPNRD. As irrigation water demand is reduced in the TPNRD, more water can be retained in the upstream BOR reservoir projects positively impacting agriculture, the environment, recreation, and tourism. Although there are no Native American Tribes in the TPNRD, others within and downstream of the North Platte Basin will realize the same benefits due to the water conservation efforts of the TPNRD irrigators.

2.0 PROJECT BUDGET

2.1 Funding Plan and Letters of Commitment

The funding plan for this project is for the TPNRD to pay the entire local share through tax revenue. As stated above, Nebraska’s Natural Resources Districts have taxing authority and the TPNRD will authorize payment for the project through budget resolution. As an illustration of the funding plan, in September 2020, TPNRD approved the 2021 the flow meter installation through a fiscal year budget resolution. Attached to this application and listed in Table 1 are the minutes from the September 10, 2020 board meeting approving the budget and the FY2021 budget:

- Board of Directors Meeting Minutes – September 10, 2020 includes approval of the FY2021 Budget
- Line item 42815-3 is the budget item for 50,000 for the Validation meters budgeted for FY2021

A similar process will occur in September 2021 for the 2022 Water Use Validation Project.

Table 1 Funding Plan Attachments

Att. #	Date	Item Type	Item of Note	Page
2	9/10/2020	Board of Directors Meeting Minutes	Board Resolution approving the 2021 Fiscal Year Budget	3
3	9/10/2020	FY2021 Budget	Budget with line item for irrigation flow meter installations for 2021	4

2.2 Budget Proposal

Tables 2 and 3 provide the Total Project Cost and Budget Proposal line items as requested in the Notice of Funding Opportunity No. R21AS00300 for WaterSMART Grants.

Table 2 Total Project Cost Table

Source	Amount
Costs to be reimbursed with the requested Federal funding	\$31,350
Costs to be paid by the applicant	\$31,350
Value of third-party contributions	\$0
Total Project Cost	\$62,700

Table 3. Budget Proposal

Budget Item Description	Cost Estimate	Quantity	Quantity Type	Total Cost
Salaries and Wages	0	0	0	0
Fringe Benefits	0	0	0	0
Equipment Purchase	\$1,730	30	each	\$51,900
Equipment Installation	\$360	30	each	\$10,800
Supplies and Materials	0	0	0	0
Contractual/Construction	0	0	0	0
Other	0	0	0	0
Total Project Cost				\$62,700

2.3 Budget Narrative

For the Water Use Validation Project there are no personnel costs, no equipment hourly rates because all the equipment is being purchased, there are no travel costs, no environmental or regulatory compliance costs, and no contingency costs. The direct cost budget elements for the Water Use Validation Project include equipment and supplies. The following is provided to describe these items.

Equipment is \$1,730 per site:
 New flow meter = \$1,150
 Flow meter vane = \$340
 Paige Wireless Equipment = \$240

Installation cost is \$360 per site:

Meter installation = \$300

Paige Wireless equipment installation = \$60

For the 2021 grant application, installation at 30 sites in 2022 will be:

Equipment total = \$51,900

Construction total = \$10,800

The total project cost is \$62,700 and TPNRD will cover 50 percent of the cost or \$31,350.

3.0 ENVIRONMENTAL AND CULTURAL COMPLIANCE

This section does not apply to the TPNRD Water Use Validation Project. There are no environmental or regulatory compliance requirements that need to be completed before the project activities commence.

4.0 REQUIRED PERMITS OR APPROVALS

This section does not apply to the TPNRD Water Use Validation Project. There are no additional permits or approvals required for the project. Well owners that will be participating in the project by allowing for installation of the flow meters and wireless communications devices are doing so voluntarily. The irrigators already have well permits through the TPNRD and no further permitting or approvals to participate in the project are required.

5.0 LETTERS OF PROJECT SUPPORT

Three project support letters are attached to this application as listed in Table 4.

Table 4 Letters of Project Support Included as Attachments

Att. #	Date	To	From	Subject
4	1/25/2018	Mr. Jeff Fassett, Director NeDNR	Kent Miller, General Manager TPNRD	Request Initiation of the TPNRD 2 nd 10-year Increment IMP Planning
5	2/12/2018	Kent Miller, General Manager TPNRD	Mr. Jeff Fassett, Director NeDNR	Approve Initiation of the 2 nd 10-year Increment Planning Process
6	8/8/2019	Mr. Jeff Fassett, Director NeDNR	Dennis Schilz, Board Chair TPNRD	Approval of the 2 nd 10- year Increment IMP

6.0 OFFICIAL RESOLUTIONS

As noted in the Board of Directors Meeting Minutes from August 8, 2019 (Attached), by virtue of the authority vested in the TPNRD pursuant to Nebraska Revised Statute §§ 46-701 to 46-753 and after considering all public testimony received during the July 16, 2019 hearing, the Board of Directors ordered that:

- The IMP's 2nd 10-year Increment is hereby adopted and shall be implemented.
- The controls set forth shall continue to be implemented in accordance with all applicable law.

Table 5 Official Resolutions Included as Attachments

Att. #	Date	Item Type	Item of Note	Page
7	8/8/2019	Board of Directors Meeting Minutes	Board Resolution approving the IMP and the water use controls defined in the planning document	5
2	9/10/2020	Board of Directors Meeting Minutes	Board Resolution approving the 2021 Fiscal Year Budget	3



TWIN PLATTE NATURAL RESOURCES DISTRICT

January 25, 2018

Mr. Jeff Fassett, Director
Nebraska Department of Natural Resources
301 Centennial Mall South
PO Box 94676
Lincoln, NE 68509-4676

RE: Initiation of Twin Platte Natural Resources District second 10-year increment integrated management plan

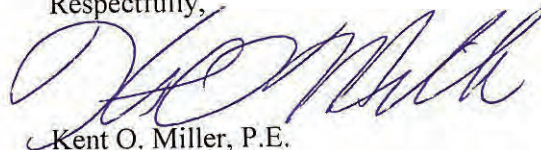
Dear Director Fassett:

This letter is to confirm that the Twin Platte Natural Resources District (TPNRD) and the Department of Natural Resources (NeDNR) have jointly determined that the development of a second 10-year increment integrated management plan (IMP) for TPNRD is necessary. In accordance with *Nebraska Revised Statutes* §§ 46-715 through 46-718, the second increment IMP will be developed using a consultative and collaborative process to identify IMP goals and objectives. Following adoption of the first increment IMP in 2009, TPNRD and NeDNR have made collaborative efforts to implement the goals and objectives set forth in the IMP and have met regularly to review progress. The development of a second increment IMP will allow further progress to be made toward meeting the IMP's goals and objectives pursuant to *Neb. Rev. Stat.* §46-715(2) and to reduce the overall difference between the current and fully appropriated levels of development identified in *Neb. Rev. Stat.* §46-715(5)(c).

As you are aware, work on the development of the Upper Platte River Basin's second increment basin-wide plan will be winding down in 2018, allowing for the Upper Platte NRDs and NeDNR to direct their time and attention to the development of second increment individual NRD IMPs. By initiating the planning and development process for TPNRD's individual IMP now, partners will benefit from having knowledge of the second increment basin-wide plan's proposed goals and objectives, thereby maintain consistency between the two plans; as well as a concurrent plan development schedule.

TPNRD would like to meet with your staff in the coming weeks in order to discuss a project timeline and whether or not we would like to consider hiring outside assistance for coordination and/or facilitation tasks associated with the development of the individual IMP. Ann Dimmitt will be the TPNRD staff contact leading coordination of the individual IMP development. You may reach her at 308.535.8080 and adimmitt@tpnrd.org. Please work with Ann in scheduling a suitable date and time to discuss this matter.

Respectfully,



Kent O. Miller, P.E.

General Manager

Twin Platte Natural Resources District

NEBRASKA

Good Life. Great Water.

DEPT. OF NATURAL RESOURCES



Nebraska Department of Natural Resources

February 12, 2018

Kent O. Miller
General Manager
Twin Platte NRD
PO Box 1347
North Platte, NE 69103

Dear Mr. Miller:

The Nebraska Department of Natural Resources (Department) is pleased to receive the Twin Platte Natural Resources District's (District) January 25, 2018 letter to initiate the second 10-year increment integrated management plan per *Nebraska Revised Statutes* §§ 46-715 through 46-718.

Jennifer Schellpeper, of the Department, will be in touch with your District IMP contact person, Ann Dimmitt, to discuss the project timeline and whether to consider hiring outside assistance for coordination and/or facilitation.

We look forward to continued work on the integrated management plans and in furthering the effective working relationship between the District and the Department.

Sincerely,

Jeff

Gordon W. "Jeff" Fassett
Director

Gordon W. "Jeff" Fassett, P.E., Director

Department of Natural Resources

301 Centennial Mall South
P.O. Box 94676
Lincoln, Nebraska 68509

OFFICE 402-471-2363
FAX 402-471-2900

dnr.nebraska.gov



TWIN PLATTE NATURAL RESOURCES DISTRICT

August 8, 2019

Gordon W. "Jeff" Fassett, Director
Nebraska Department of Natural Resources
P.O. Box 94676
Lincoln, Nebraska 68509-4676

Dear Mr. Fassett:

On August 8, 2019, the Board of Directors (Board) of the Twin Platte Natural Resources District (District) approved a motion signifying that the District has reached agreement with the Nebraska Department of Natural Resources (Department) to adopt the Second Increment Joint Integrated Management Plan Cooperatively Developed by the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources (IMP) (Attachment 1).

The Board and the Department held one public hearing in North Platte, Nebraska on July 16, 2019, to take testimony on the proposed plan. The District and the Department considered the testimony received from this hearing. No changes to the IMP were initiated from the testimony. Agreed upon editorial modifications have been incorporated into the final IMP, though nothing from the testimony prompted these changes.

The Board appreciates and recognizes the collaboration and valuable contributions of the Stakeholder Advisory Committee, District's staff, and the Department's staff in the development of the goals and objectives and the preparation of the IMP. The District looks forward to continued collaboration with the Department in the implementation, reviews, and revisions of the IMP in the future.

Sincerely,

Dennis Schilz
Board Chair, Twin Platte Natural Resources District

Enclosure (1)
cc: Kent Miller, General Manager, Twin Platte Natural Resources District

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
August 8, 2019

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the Great Western Bank, 111 South Dewey Street, Second Floor, in North Platte, Nebraska on August 8, 2019. Mr. Schilz called the meeting to order at 7:35 pm. A legal notice of the meeting was published in the NORTH PLATTE TELEGRAPH. A news release containing the agenda for the meeting and including the time and place was sent to the news media in the District.

BOARD MEMBERS PRESENT

David Colvin
Eric S Hansen
James Meismer
Robert L Petersen
Dennis Schilz
Jake Tiedeman
Joe Wahlgren
Robert Wiseman

BOARD MEMBERS ABSENT

Eric Brown
Shane Storer
Jerry Weaver

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Ann Dimmitt, IMP Manager
Kent Miller, General Manager
Sydney Norris, Media & Communications Coordinator
Amy Oberst, Administrative Assistant

OTHERS PRESENT

Melissa Mosier, Nebraska Dept of Natural Resources

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Schilz reported the Nebraska Open Meeting Act requires public bodies to make available the current Open Meeting Act which is available for viewing by the public in the meeting room. Mr. Schilz reported that a Legal Notice was published in the North Platte Telegraph on July 30, 2019.

Report of Directors Excused – Mr. Schilz reported the TPNRD Operating Policy Number 4 provides that a Director will be considered excused if the Director notifies the office prior to the meeting that they will be absent. Mr. Schilz reported Mr. Storer and Mr. Weaver notified the office they would be absent and are therefore excused. Mr. Schilz reported Mr. Brown is

unexcused.

Information available for the Public – Mr. Schilz reported on the table along the north wall of the meeting room is a notebook containing information each Board member has electronically and is available for viewing by the public attending the Board of Directors meeting. Mr. Schilz reported this information is also available on the TPNRD website, and public internet access is available in the room.

Other Announcements – Mr. Schilz reported that Mr. Wahlgren has invited the Board to have dinner at his cabin at Jeffrey Lake on September 12, 2019 following the Board meeting. Mr. Schilz reported that the Board meeting will begin at 3:00 pm on September 12, 2019 to allow for travel to Jeffrey Lake for dinner.

Mrs. Oberst reported that the Board meeting room is not available the afternoon of September 12, 2019 as the bank is using the room that afternoon. Mrs. Reece reported that the USDA Conference Center located at 1202 South Cottonwood Street in North Platte may be available and is of enough size for a TPNRD Board meeting. Mr. Schilz reported that the Board meeting on September 12, 2019 would be held at the USDA Conference Center if it is available.

PUBLIC FORUM

Mr. Schilz opened the Public Forum.

Mr. Schilz stated that the public is provided an opportunity to speak to the Board during the public forum at the beginning of each Board meeting and the public is only allowed to speak during the Public Forum. Mr. Schilz stated that the Chairman may limit the time for each person speaking to the Board.

There were no comments.

Mr. Schilz closed the Public Forum.

REQUESTS FOR ASSISTANCE

No requests presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mrs. Reece reported that a written report was available for the Directors and she reviewed the report.

USDA Natural Resources Conservation Service (NRCS) – Brule Watershed – No report presented.

GENERAL INFORMATION

No reports presented.

BOARD OF DIRECTORS MEETINGS

Minutes for the July 11, 2019 Meeting – Mr. Schilz reported the Minutes for the July 11, 2019 Board of Directors meeting were available for the Directors and he asked if there were any corrections or additions.

Mr. Meismer moved the Minutes of the July 11, 2019 Board of Directors meeting be approved. Mr. Wiseman seconded the motion. The motion carried. (Motion #1)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Tiedeman, Wahlgren, Wiseman
Nay: None
Absent & Excused: Storer, Weaver
Unexcused: Brown

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported the Financial Statement for July 2019 was available for the Directors.

Accounts Payable - Mr. Meismer reported the Accounts Payable report was available for the Directors, he had reviewed the Report, and found it to be in order.

Mr. Meismer moved the Financial Statement for July 2019 be received and placed on file for audit and to approve payment of the invoices presented on August 8, 2019 in the amount of \$239,974.00. Mr. Petersen seconded the motion. The motion carried. (Motion #2)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Tiedeman, Wahlgren, Wiseman
Nay: None
Absent & Excused: Storer, Weaver
Unexcused: Brown

Budget Status – No report available. Mr. Miller reported information was in the Budget documents.

Bids – None presented.

Bids to be Presented September 12, 2019 – Mr. Miller reported the District Policy provides “The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration.” Mr. Miller reported no

bids/proposals would be presented for the September 12, 2019 Board of Directors meeting.

SUBCOMMITTEE MEETINGS REPORT
Land Resources SubCommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Water Resources SubCommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the Subcommittee meeting held on August 8, 2019.

Variances – No variances presented.

Violations – No report presented.

Integrated Management Plan (IMP) Second Increment – Schedule – Mr. Meismer reported that available for the Directors was a schedule for preparing the TPNRD IMP 2nd Increment. Mr. Meismer reported that available for the Directors was an Upper Platte Basin Plan Development Timeline for the Platte Basin Plan & Individual NRDs IMPs 2nd Increment that was updated June 2, 2019.

Mr. Meismer reported on the following schedule of the TPNRD IMP 2nd Increment:

June 13, 2019	TPNRD Board Approval of Draft TPNRD IMP 2nd Increment to take to Public Hearing
July 16, 2019	Information presentation (2:00 pm CT at the Best Western), Public Hearing for TPNRD IMP 2nd Increment (2:30 pm CT at the Best Western) & Public Hearing for Platte Basin-Wide Plan (3:00 pm CT at the Best Western)
August 8, 2019	TPNRD Board Final Approval for TPNRD IMP 2nd Increment
September 11, 2019	TPNRD IMP 2nd Increment Begins

Mr. Meismer reported that the Nebraska Department of Natural Resources (NE DNR) also must jointly approve with TPNRD the TPNRD IMP 2nd Increment.

Integrated Management Plan (IMP) Second Increment – Report of Public Hearing, July 16, 2019 – Mr. Meismer reported the Board of Directors on June 13, 2019 approved accepting the wording for the Second Increment Joint Integrated Management Plan for the TPNRD for hearing on July 16, 2019.

Mr. Meismer reported that available for the Directors were the following:

- Pre-Hearing information presentation – NE DNR
- TPNRD IMP Second Increment Executive Summary (prepared by NE DNR)

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

- presented at the Public Hearing
- TPNRD testimony presented by Kent O Miller
- Letter submitted by CNPPID
- Letter submitted by NPPD
- Edits made to the TPNRD IMP Second Increment following the public hearing

Mr., Meismer reported that testimony was presented by NE DNR and Mr. Miller for the TPNRD. Mr. Meismer reported that letters were entered into the record for CNPPID and NPPD.

Integrated Management Plan (IMP) Second Increment – Final Approval – Mr. Meismer reported that available for the Directors were the following:

- Order – To be published in the North Platte Telegraph on August 15, 22, 29
- Agreement letter – TPNRD to NE DNR
- TPNRD IMP 2nd Increment

Mr. Meismer reported the NE DNR and TPNRD personnel agreed that no changes were needed for the TPNRD IMP Second Increment following the public hearing. Mr. Meismer reported there were edits made for clarification, corrections, and formatting.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve

[REDACTED]

- [REDACTED]
- [REDACTED]

Mr. Wahlgren seconded the motion. The motion carried. (Motion #3)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Tiedeman, Wahlgren, Wiseman
Nay: None
Absent & Excused: Storer, Weaver
Unexcused: Brown

Mr. Miller reported that following approval, the TPNRD & NE DNR will exchange agreement letters, an Order will be published in the North Platte Telegraph on August 15, 22, 29, 2019, and September 11, 2019 will be the effective date of the Second Increment Joint Integrated Management Plan for the TPNRD.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

Integrated Management Plan (IMP) Second Increment – Data Collection / Water Savings, AgHub (GiSC Project) – Mr. Meisner reported that available for the Directors was a TPNRD press release dated July 19, 2019.

Mrs. Dimmitt reported the GiSC personnel and TPNRD personnel were at the Keith County Fair July 24-25, 2019 and the Lincoln County Fair July 25-26, 2019. Mrs. Dimmitt reported the GiSC personnel and TPNRD personnel were at Roric Paulman’s Field Day for agencies and ag service companies August 6, 2019.

Mrs. Dimmitt reported the TPNRD is planning grower open houses as follows:

- September 9, 2019 1:00 – 4:00 pm CDT
Lincoln County Fair Grounds
North Platte
- September 10, 2019 1:00 – 4:00 pm CDT
Jeffrey Lodge at Jeffrey Lake
Brady
- September 11, 2019 9:00 - 11:00 am MDT
Ole’s Big Game Steakhouse Meeting Room
Paxton
- September 11, 2019 1:00 – 4:00 pm MDT
Lake McConaughy Visitors Center

Mrs. Dimmitt reported a large post card for the open houses will be mailed using our Occupation Tax and Chemigation mailing lists.

Mrs. Dimmitt reported that GiSC personnel and TPNRD personnel will be at the UNL West Central Research & Extension Center Water Field Day on August 22, 2019.

Mrs. Dimmitt reported for the GiSC project, power use is needed. Mrs. Dimmitt reported on the contacts and discussions with the power companies.

Integrated Management Plan (IMP) Second Increment – Work Plan, Olsson Associates – No report presented.

Integrated Management Plan (IMP) Second Increment – Water Sustainability Fund (WSF) Application – Mr. Meisner reported that available for the Directors was the Water Sustainability Fund Application that was submitted by Olsson Associates for the TPNRD on July 30, 2019.

Platte Basin-Wide Plan – Schedule – Mr. Meisner reported that available for the Directors was a schedule for preparing the Platte Basin-Wide Plan. Mr. Meisner reported that available for the Directors was an Upper Platte Basin Plan Development Timeline for the Platte Basin-Wide Plan & Individual NRDs IMPs 2nd Increment that was updated June 2, 2019.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

Mr. Meisner reported on the following schedule for the Platte Basin-Wide Plan:

June 13, 2019	TPNRD Board Approval of Draft Platte Basin-Wide Plan to take to Public Hearing
July 16, 2019	Information presentation (2:00 pm CT at the Best Western), Public Hearing for TPNRD IMP 2nd Increment (2:30 pm CT at the Best Western) & Public Hearing for Platte Basin-Wide Plan (3:00 pm CT at the Best Western)
August 8, 2019	TPNRD Board Final Approval for Platte Basin-Wide Plan

Mr. Meisner reported that the Nebraska Department of Natural Resources (NE DNR) also must jointly approve with TPNRD and the other NRDs in the Upper Platte Basin the Platte Basin Over-Appropriated Plan.

Platte Basin-Wide Plan – Report of Public Hearing, July 16, 2019 – Mr. Meisner reported the Board of Directors on June 13, 2019 approved accepting the wording for the proposed Second Increment Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin for hearing on July 16, 2019.

Mr. Meisner reported that available for the Directors were the following:

- Pre-Hearing information presentation – NE DNR
- TPNRD testimony presented by Kent O Miller
- Letter submitted by CNPPID
- Letter submitted by NPPD
- Edits made to the TPNRD IMP Second Increment following the public hearing

Mr., Meisner reported that testimony was presented by NE DNR and Mr. Miller for the TPNRD. Mr. Meisner reported that letters were entered into the record for CNPPID and NPPD.

Platte Basin-Wide Plan – Final Approval – Mr. Miller reported that available for the Directors were the following:

- Order – To be published in the North Platte Telegraph on August 15, 22, 29
- Agreement letter – TPNRD to NE DNR
- Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska SECOND INCREMENT 2019-2029

Mr. Meisner reported the NE DNR and TPNRD personnel agreed that no changes were needed for the Platte Basin-Wide Plan following the public hearing. Mr. Meisner reported there were edits made for clarification, corrections, and formatting.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve BY VIRTUE OF THE AUTHORITY VESTED IN THE TPNRD BOARD OF DIRECTORS pursuant to NEB. REV. STAT. §§ 46-701 to 46-753, after considering all testimony, both written and oral received during the July 16, 2019 hearing, and being otherwise fully advised in the premises, the Board FINDS and ORDERS as follows:

- The Basin-Wide Plan 2nd Increment, as proposed is hereby amended and shall be implemented.
- The Basin-Wide Plan 2nd Increment, as amended, is incorporated into this Order by reference as though fully set forth herein.
- This Order and the Basin-Wide Plan 2nd Increment shall become effective September 11, 2019.

Mr. Wiseman seconded the motion. The motion carried. (Motion #4)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Tiedeman, Wahlgren, Wiseman
Nay: None
Absent & Excused: Storer, Weaver
Unexcused: Brown

Mr. Miller reported that following approval, the TPNRD & NE DNR will exchange agreement letters, an Order will be published in the North Platte Telegraph on August 15, 22, 29, 2019, and September 11, 2019 will be the effective date of the Basin-Wide Plan.

Subcommittee Priorities – Mr. Meismer reported that the following is the current list of the Subcommittee priorities for offset water.

- 1 Irrigation Districts in TPNRD (2019FY Budget)
 - Transfers (Cody-Dillon, Platte Valley)
 - Excess Flows (Keith–Lincoln, Platte Valley, Suburban, & Western)
 - Conversion to ground water irrigation
- 2 N-CORPE Project (2019FY Budget)
- 3 CPNRD Agreement (2019FY Budget)
 - Up to 1,500 AF annually when available
- 4 J-2 Project (2019FY Budget)
 - 5,100 AF annually through 2019
5. Non-Irrigated Certified Acres (2019FY Budget)
- 6 Conservation tillage measures (2019FY Budget)
 - Platte Basin Coalition Conservation Study
- 7 South Platte River Compact Coalition (2019FY Budget)

Mr. Meismer reported that the priority is noted on the Water Resources Subcommittee agenda and on the Board meeting agenda. Mr. Meismer reported that available for the Directors was the IMP accounting shown on a graph.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

Presentations - Jim Schneider, Olsson Associates – Mr. Meisner reported the Water Resources Subcommittee agreed that Mr. Schneider should present the following presentations on October 10, 2019 to the Subcommittee and the Board.

- Model Southern Keith County (*Second Presentation*)
- Model K&L, Paxon-Hershey, Platte Valley, Suburban Irrigation Districts (*Second Presentation*)
- Ground Water Lost due to Channel Incision, North Platte River, below Lake McConaughy

Offset Water - NCORPE Project – Operations – Mr. Meisner reported that pumping of water to the Platte River is not planned to occur until calendar year 2020 as provided in the TPNRD IMP.

Offset Water - NCORPE Project – Ground Water Levels – Mr. Meisner reported that available for the Directors was an aerial photo of the NCORPE property showing the locations of ground water monitoring wells, and graphs for the monitoring wells.

Offset Water - NCORPE Project – Board Meetings – Mr. Meisner reported that the next NCORPE Board meeting is scheduled to be on September 4, 2019 at 10:00 am at NCORPE.

Offset Water – Irrigation Districts – Western Pilot Project – No report presented.

Offset Water – Irrigation Districts – Cody-Dillon Instream Flows – No report presented.

Offset Water – Irrigation Districts – K&L, Paxon-Hershey, Platte Valley, Suburban – No report presented.

Offset Water – Irrigation Districts – Excess Flows – No report presented.

Offset Water – North Platte River Channel Incision Below Lake McConaughy – No report presented.

Offset Water – Non-Irrigated Certified Acres – No report presented.

Offset Water – J2 Project – No report presented.

Offset Water – CPNRD Agreement – No report presented.

Offset Water – Conservation Tillage Measures – No report presented.

Regulations – No report presented.

Platte River Recovery Implementation Program – No report presented.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

South Platte River Compact Coalition (SPRCC) – Mr. Miller reported that available for the Directors were a Lincoln Journal Star Editorial, July 27, 2019 “South Platte reservoir plan problematic for Nebraska” and an Omaha World Herald Editorial, July 28, 2019 “Nebraska should be vigilant to protect its South Platte water allocation”.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors – No report presented.

Nebraska Association of Resources Districts (NARD) – Annual Conference September 23-24, 2019 – Kearney, NE – Mr. Meismer reported the NARD Annual Conference will be held in Kearney on September 23-24, 2019 and information for the conference was available for the Directors. Mr. Meismer, Mr. Petersen, and Mr. Schilz reported they plan to attend.

Sandhills Task Force – No report presented.

Requests for Authorization to Travel – No requests presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported the monthly report was available for the Directors, \$59,902.54 was available, and there were three new applications to present.

Mr. Meismer moved to approve the August 9, 2018 report and to approve the following new contracts:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt to Fund</u>
20.001	NC-14	Planned Grazing	\$ 7,500.00	\$ 7,500.00
20.002	NC-14	Planned Grazing	\$ 7,500.00	\$ 7,500.00
20.003	NC-1	Terraces	\$ 1,657.50	\$ 1,657.50
		Total Amount of New Contracts		\$ 16,657.50

FUNDS AVAILABLE \$ 43,245.04

Mr. Wiseman seconded the motion. The motion carried. (Motion #5)

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Tiedeman, Wahlgren,
Wiseman
Nay: None
Absent & Excused: Storer, Weaver
Unexcused: Brown

Cost-Share Programs – District Conservation Programs – Mr. Miller reported the monthly report was available for the Directors, and \$10,000.00 was available.

Miscellaneous Information – Mr. Miller reported other various items of information were available for the Directors.

BUDGET FOR 2020 FISCAL YEAR

Preparation Schedule - Mr. Miller reported a schedule for preparing the 2020 Fiscal Year Budget for the TPNRD was available for the Directors. Mr. Miller reported the schedule for preparing the 2020 Fiscal Year Budget provides the Board four opportunities to review and discuss the Budget prior to final approval.

Review Draft #3 - TPNRD – Mr. Miller reported that available for the Directors was Draft #3 for the 2020 FY Budget.

Mr. Miller reported that Draft #3 for the 2020 Fiscal Year budget for TPNRD is requesting the same property tax dollars that was requested for the 2019 Fiscal Year budget. Mr. Miller reported that the 2018 Fiscal Year budget reduced the property tax dollar request \$627,450 and the 2019 Fiscal Year budget reduced the property tax dollar request \$505,000. Mr. Miller reported that the current property tax dollar request is the amount of funds needed for normal operations and does not provide any additional funds for offset water required in the TPNRD IMP.

Mr. Miller reported that using estimates prepared by the Nebraska Department of Revenue for valuations for the counties within the TPNRD, the property tax levy is estimated to be reduced -1.77% from the current levy of \$0.023308 to a levy of \$0.022896.

Mr. Miller reviewed Draft #3 for the 2020 Fiscal Year budget. Mr. Miller reported that changes from Draft #2 are in BOLD print. Mr. Miller reported that the 2019 FY numbers are audited.

Mr. Miller reported that the budget for the TPNRD includes the NCORPE Project and is colored highlighted the same as a separate NCORPE Project budget prepared for the NCORPE Project that is funded by an Occupation Tax.

Review Draft #3 - NCORPE Project – Mr. Miller reported that available for the Directors was Draft #3 for the 2020 FY NCORPE Project Budget.

Mr. Miller reported that Draft #3 for the 2020 Fiscal Year TPNRD budget for the NCORPE Project is requesting the same occupation tax of \$6.50/acre that was requested for the 2019 Fiscal Year TPNRD budget for the NCORPE Project. Mr. Miller reported that the occupation tax was reduced to \$6.50/acre for the 2019 Fiscal Year from the previous \$10.00/acre.

Mr. Miller reviewed Draft #3 for the 2020 Fiscal Year TPNRD budget for the NCORPE Project. Mr. Miller reported that changes from Draft #2 are in BOLD print. Mr. Miller reported that the 2019 FY numbers are audited.

Mr. Miller reported that the NCORPE Project budget is included in the TPNRD budget and is colored highlighted the same.

Approval for Public Hearings / Set Public Hearings Date, Time, and Location

Mr. Wahlgren moved to

- Approve for Public Hearing a 2019-2020 Fiscal Year Budget for the TPNRD General Fund, as proposed in Draft #3, with a property tax request of \$1,499,850.00 for the 2019-2020 Fiscal Year, which is the same amount of property tax funds requested to fund the 2018-2019 Fiscal Year Budget.
- Approve for Public Hearing a 2019-2020 Fiscal Year Budget for the TPNRD NCORPE Project, as proposed in Draft #3, with an occupation tax levy of \$6.50 per irrigated acre for the 2019-2020 Fiscal Year, which is the same occupation tax levy set to fund the 2018-2019 Fiscal Year Budget for the TPNRD NCORPE Project.
- Set the Public Hearing for the 2019-2020 Fiscal Year Budget for September 12, 2019 to be held at 3:00 pm in the USDA Conference Center located at 1202 South Cottonwood Street in North Platte, Nebraska for the Board of Directors to hear and consider public comments prior to action for approval of a 2019-2020 Fiscal Year Budget for the General Fund, for approval of a 2019-2020 Fiscal Year Budget for the NCORPE Project, for setting the final property tax for the TPNRD for the 2019-2020 Fiscal Year, and for setting the final occupation tax for the TPNRD for the 2019-2020 Fiscal Year.

Mr. Petersen seconded the motion. The motion carried. (Motion #6)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Tiedeman, Wahlgren,
Wiseman
Nay: None
Absent & Excused: Storer, Weaver,
Unexcused: Brown

OTHER BUSINESS

There was no other business.

NEXT MEETING

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – August 8, 2019

Mr. Schilz reported that the next Board of Directors meeting would be held on Thursday, September 12, 2019 at 3:00 pm at the USDA Conference Center in North Platte, NE.

ADJOURNMENT

The meeting adjourned at 8:26 pm.

Jerry Weaver, Secretary

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
September 10, 2020

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the Great Western Bank, 111 South Dewey Street, Second Floor, in North Platte, Nebraska on September 10, 2020. Mr. Schilz called the meeting to order at 7:45 pm. A legal notice of the meeting was published in the NORTH PLATTE TELEGRAPH. A news release containing the agenda for the meeting and including the time and place was sent to the news media in the District.

BOARD MEMBERS PRESENT

Eric Brown
David Colvin
Eric S Hansen
James Meisner
Dennis Schilz
Shane Storer
Jake Tiedeman
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Robert L Petersen

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Kent Miller, General Manager
Amy Oberst, Office & Financial Coordinator

OTHERS PRESENT

Julie Bushell, President, Paige Wireless
Bruce Lefler, Piper Sandler & Co.
Jim Schneider, Olsson Inc.

ANNOUNCEMENTS

Mr. Schilz reported the TPNRD Board of Directors meeting is complying with the Nebraska Directed Health Measures and the West Central District Health Department guidelines for the COVID-19 virus. Mr. Schilz reported the board room has been set up to maintain social distancing. Mr. Schilz reported the TPNRD request a face masks be worn until those attending the board meeting are in place and request a face mask be worn if you are not able to maintain social distancing. Mr. Schilz reported a visitor may be requested to wear a face mask if they are suspected of having symptoms related to COVID-19.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

Nebraska Open Meeting Act – Mr. Schilz reported the Nebraska Open Meeting Act requires public bodies to make available the current Open Meeting Act which is available for viewing by the public in the meeting room. Mr. Schilz reported the legal notice for the meeting was published in the North Platte Telegraph on September 1, 2020.

Report of Directors Excused – Mr. Schilz reported the TPNRD Operating Policy Number 4 provides a Director will be considered excused if the Director notifies the office prior to the meeting they will be absent. Mr. Schilz reported Mr. Petersen notified the office he would be absent and is therefore excused.

Board Meeting Information Available for the Public – Mr. Schilz reported on the table in the meeting room is a notebook containing information each Board member has electronically and is available for viewing by the public attending the meeting. Mr. Schilz reported this information is also available on the TPNRD website, and public internet access is available in the room.

Other Announcements – Mr. Miller reported on the current office procedures for Covid-19. Mr. Miller reported the office has remained open throughout and plans to remain open. Mr. Miller reported the staff is meeting with all visitors in the small conference room across from the office entrance and visitors, including family and friends, are not allowed in staff offices. Mr. Miller reported he is requiring for office personnel, while working, mandatory social distancing and if not able to social distance, requiring the use of a face covering, while in the office, in a vehicle, attending a meeting, inside a building, or outside.

Mr. Miller reported Sydney Norris, Media & Communication Coordinator, and Ann Dimmitt, IMP Manager, are currently in quarantine for COVID-19.

2020-2021 FISCAL YEAR BUDGET

Final Approval

Mr. Meisner moved to approve the following resolution:

Resolution No. 1-091020

WHEREAS, a legal notice of special public hearing for a budget and budget summary was published in the North Platte Telegraph on August 29, 2020, for a hearing scheduled for September 10, 2020 by the Board of Directors of the Twin Platte Natural Resources District; and

WHEREAS, a special public hearing was held by the Board of Directors of the Twin Platte Natural Resources District on September 10, 2020 as required by law for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the proposed budget; and

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Twin Platte Natural Resources District passes by a majority vote a resolution approving the budget.

NOW THEREFORE, the Governing Body of the Twin Platte Natural Resources District, resolves to approve the 2020 2021 Fiscal Year Budget as presented for public hearing.

Mr. Wahlgren seconded the motion. The motion carried. (Motion #1)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Petersen

Set Property Tax Request for General Fund Budget

Mr. Storer moved to approve the following resolution:

Resolution No. 2-091020

WHEREAS, a legal notice of special public hearing to set the final tax request was published in the North Platte Telegraph on August 29, 2020, for a hearing scheduled for September 10, 2020 by the Board of Directors of the Twin Platte Natural Resources District; and

WHEREAS, a special public hearing was held by the Board of Directors of the Twin Platte Natural Resources District on September 10, 2020 as required by law for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to setting the final tax request; and

WHEREAS, the 2019-2020 Fiscal Year property tax request for the Twin Platte Natural Resources Districts was \$1,499,850.00 and the 2020-2021 Fiscal Year Budget requires a property tax request for the Twin Platte Natural Resources Districts of \$1,499,850.00; and

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Twin Platte Natural Resources District passes by a majority vote a resolution setting the tax request.

NOW THEREFORE, the Governing Body of the Twin Platte Natural Resources District, resolves that:

1. The 2020-2021 property tax request be set at \$1,499,850.00.
2. The total assessed value of property differs from last year's total assessed value by 2%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$ 0.022383 per \$100 of assessed value.
4. The Twin Platte Natural Resources Districts proposes to adopt a property tax request that

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

- will cause its tax rate to be \$0.022383 per \$100 of assessed value.
5. Based on the property tax request and changes in other revenue, the total operating budget of the Twin Platte Natural Resources Districts will exceed last years by 1%.
 6. A copy of this resolution be certified and forwarded to the County Clerks within the Twin Platte Natural Resources District on or before October 13, 2020.

Mr. Tiedeman seconded the motion. The motion carried. (Motion #2)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Petersen

Restricted Funds Authority

No action occurred.

Set Occupation Tax for NCORPE Project

Mr. Wahlgren moved to approve the following resolution:

Resolution No. 4-091020

WHEREAS, Nebraska Revised Statute 2-3226.05 provides that a district with an integrated management plan as described in subsection (1) of section 2-3226.01 may levy an occupation tax upon the activity of irrigation of agricultural lands within such district on an annual basis, not to exceed ten dollars per irrigated acre, the proceeds of which may be used for (a) repaying principal and interest on any bonds or refunding bonds issued pursuant to section 2-3226.01 for one or more projects under section 2-3226.04, (b) the repayment of financial assistance received by the district pursuant to section 2-3226.07, or (c) payment of all or any part of the costs and expenses of one or more qualified projects described in section 2-3226.04; and

WHEREAS, the Twin Platte Natural Resources District (TPNRD) has an approved Integrated Management Plan (IMP) that requires water to offset depletions to stream flows in the North Platte River, the South Platte River, and the Platte River; and

WHEREAS, the TPNRD has entered into an Interlocal Cooperation Agreement with the Upper Republican Natural Resources District, the Middle Republican Natural Resources District, and the Lower Republican Natural Resources District, as provided by Nebraska Revised Statutes 13-801 through 13827 to create the Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) to assist with implementation of the TPNRD IMP; and

WHEREAS, the TPNRD is obligated (1) to repay the TPNRD share of financial assistance received for the NCORPE Project, (2) to repay the TPNRD share of the principal and interest

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

on bonds financing the NCORPE Project, and (3) to pay the TPNRD share of the costs and expenses of the NCORPE Project.

NOW, THEREFORE, the Governing Body of the Twin Platte Natural Resources District, resolves to approve:

1. The 2020 occupation tax is set at \$6.50 per irrigated acre.
2. A copy of this resolution be certified and forwarded to the County Clerks within the TPNRD on or before October 13, 2020.

Mr. Weaver seconded the motion. The motion carried. (Nebraska Statutes requires a majority vote of the Board of Directors present to set an occupation tax.) (Motion #3)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Petersen

PUBLIC FORUM

Mr. Schilz opened the Public Forum.

Mr. Schilz stated the public is provided an opportunity to speak to the Board of Directors during the public forum at the beginning of each board meeting, and the public is only allowed to speak during the Public Forum. Mr. Schilz stated the Chairman may limit the time for each person speaking to the board.

There were no comments.

Mr. Schilz closed the Public Forum.

REQUESTS FOR ASSISTANCE

None requested.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mrs. Reece, NRCS District Conservationist, reported a written report was available for the Directors and she reviewed the report.

USDA Natural Resources Conservation Service (NRCS) – Brule Watershed – No report presented.

GENERAL INFORMATION

No information presented.

BOARD OF DIRECTORS MINUTES

Minutes for the August 13, 2020 Meeting – Mr. Schilz reported the Minutes for the August 13, 2020 Board of Directors meeting were available for the Directors and he asked if there were any corrections or additions.

Mr. Meismer moved the Minutes of the August 13, 2020 Board of Directors meeting be approved. Mr. Wiseman seconded the motion. The motion carried. (Motion #4)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman
Nay: None
Absent & Excused: Petersen

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported the Financial Statement for August 2020 was available for the Directors.

Accounts Payable - Mr. Meismer reported the Accounts Payable report was available for the Directors, he had reviewed the Accounts Payable and found it to be in order.

Mr. Meismer moved the Financial Statement for August 2020 be received and placed on file for audit and to approve payment of the invoices presented on September 10, 2020 in the amount of \$124,699.59. Mr. Wiseman seconded the motion. The motion carried. (Motion #5)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman
Nay: None
Absent & Excused: Petersen

Budget Status – Mr. Miller reported information was in the Budget documents.

SUBCOMMITTEE MEETINGS REPORT
Land Resources SubCommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Water Resources SubCommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the Subcommittee meeting held on September 10, 2020.

Variances – None presented.

Violations – No report presented.

Offset Water – NCORPE Project – Financing Bonds – Mr. Meismer reported the NCORPE Board authorized refinancing of the bonds to take advantage of the lower interest rates.

Offset Water – NCORPE Project – Financing Bonds – Authorizing Redemption of Bonds - Series 2015 & Series 2017 - Bruce Lefler, Piper Sandler, presented a report and was available for questions from the members of the board.

A discussion was held concerning financing for a portion of the river flow enhancement project of the Nebraska Cooperative Republican Platte Enhancement Project (the "Agency") through the refunding of certain bonds previously issued by the Agency (and the corresponding refunding of certain bonds issued by the TPNRD to support such Agency bonds). Mr. Schilz stated that it was necessary for the Board of Directors to give formal approval to a resolution authorizing the redemption of all or a portion of the limited obligation occupation tax supported river flow enhancement refunding bonds, Series 2015 and Series 2017, issued by the TPNRD, in the State of Nebraska, as described in resolution No. 5-091020 that was available for the Directors.

Mr. Wahlgren moved to approve the following resolution:

RESOLUTION NO. 5-091020

RESOLUTION AUTHORIZING REDEMPTION OF ALL OR A PORTION OF THE LIMITED OBLIGATION OCCUPATION TAX SUPPORTED RIVER FLOW ENHANCEMENT REFUNDING BONDS, SERIES 2015 AND SERIES 2017, ISSUED BY THE TWIN PLATTE NATURAL RESOURCES DISTRICT, IN THE STATE OF NEBRASKA

BE IT RESOLVED by the governing body (the "Governing Body") of the Twin Platte Natural Resources District, in the State of Nebraska (the "Issuer"), as follows:

Section 1. That all or a portion of the following bonds of the Issuer (the "Refunded Bonds") are hereby authorized to be called for redemption at the principal amounts thereof, plus accrued interest, on a date or dates to be determined pursuant to the Direction for Call authorized in Section 3 below (each such date, a "Redemption Date"), after which said bonds shall cease to bear interest:

Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2015, dated November 3, 2015, in the original principal amount of \$1,282,002.05 and now outstanding in the principal amount of \$1,008,705.25; and

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2017, dated May 1, 2017, in the original principal amount of \$21,693,820.07 (which principal amount was reduced immediately after closing to \$21,194,820.06) and now outstanding in the principal amount of \$18,874,200.56.

Section 2. Said Refunded Bonds are payable at the office of the Treasurer of the District in North Platte, Nebraska (the “Paying Agent”), as Paying Agent and Registrar for said bonds (with such payments to be made to Union Bank & Trust Company, Lincoln, Nebraska, as trustee).

Section 3. The Chairperson of the Governing Body or the General Manager of the Issuer (each, an “Authorized Officer”) are each individually hereby authorized at any time on or after the date of this resolution to determine the redemption date or dates for the respective Refunded Bonds on behalf of the Issuer by written direction (each, a “Direction for Call”), and such Direction for Call shall constitute the action of the Governing Body on behalf of the Issuer without further action of the Governing Body.

Section 4. A copy of this resolution together with an executed Direction for Call shall be filed at least 30 days prior to the date of call with the Paying Agent and said Paying Agent is hereby instructed to give notice of redemption in the manner provided for in the resolutions of the Issuer authorizing the Refunded Bonds. Upon delivery of this resolution and an executed Direction for Call to the Paying Agent, the Refunded Bonds shall be irrevocably called for redemption on the respective Redemption Date.

Mr. Weaver seconded the motion. The motion carried. (Motion #6)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman
Nay: None
Absent & Excused: Petersen

Offset Water – NCORPE Project – Financing Bonds – Authorizing Issuance of Bonds - Series 2020 - Bruce Lefler, Piper Sandler, presented a report and was available for questions from the members of the board.

A discussion was held concerning financing for a portion of the river flow enhancement project of the Nebraska Cooperative Republican Platte Enhancement Project (the “Agency”) through the refunding of certain bonds previously issued by the Agency (and the corresponding refunding of certain bonds issued by the TPNRD to support such Agency bonds). Mr. Schilz stated that it was necessary for the Board of Directors to give formal approval to a resolution authorizing the issuance of one or more series of the TPNRD’s Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2020, to provide security for payment of refunding bonds to be issued by the Agency to refund some or all of the Agency's outstanding River Flow Enhancement Revenue Refunding Bonds, Series 2015, and River Flow

Enhancement Revenue Refunding Bonds, Series 2017, as described in resolution No. 6-091020 that was available for the Directors.

Mr. Meismer moved to approve the following resolution:

RESOLUTION NO. 6-091020

A RESOLUTION OF THE TWIN PLATTE NATURAL RESOURCES DISTRICT, IN THE STATE OF NEBRASKA, AUTHORIZING THE ISSUANCE OF A LIMITED OBLIGATION OCCUPATION TAX SUPPORTED RIVER FLOW ENHANCEMENT REFUNDING BOND, SERIES 2020, IN ONE OR MORE SERIES, IN THE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED TWENTY-ONE MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$21,500,000.00), FOR THE PURPOSES OF REFUNDING SOME OR ALL OF THE MATURITIES OF THE DISTRICT'S OUTSTANDING (1) LIMITED OBLIGATION OCCUPATION TAX SUPPORTED RIVER FLOW ENHANCEMENT REFUNDING BOND, SERIES 2015, AND (2) LIMITED OBLIGATION OCCUPATION TAX SUPPORTED RIVER FLOW ENHANCEMENT REFUNDING BOND, SERIES 2017 AND PAYING CERTAIN COSTS OF ISSUANCE; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BOND; AUTHORIZING THE OFFICERS OF THE DISTRICT TO DETERMINE THE FINAL TERMS OF SAID BOND WITHIN CERTAIN PARAMETERS; AGREEING TO PAY PRINCIPAL AND INTEREST ON THE BOND FROM OCCUPATION TAX RECEIPTS, SUBJECT TO STATUTORY LIMITATIONS; AUTHORIZING THE DELIVERY OF THE BOND TO THE NEBRASKA COOPERATIVE REPUBLICAN PLATTE ENHANCEMENT PROJECT (AN INTERLOCAL COOPERATION ACT AGENCY, THE "AGENCY") PURSUANT TO THE INTERLOCAL AGREEMENT AND IN CONSIDERATION OF THE AGENCY'S AGREEMENT TO ISSUE ITS BONDS TO PROVIDE FINANCING; ENTERING INTO A CONTRACT ON BEHALF OF THE DISTRICT WITH THE HOLDER OF SAID BOND; AGREEING TO THE PLEDGING OF SAID BOND BY THE AGENCY; AGREEING TO PROVIDE CERTAIN CONTINUING DISCLOSURE INFORMATION CONCERNING THE DISTRICT; REPEALING ANY CONFLICTING RESOLUTIONS AND PROVIDING FOR THE EFFECTIVENESS OF THIS RESOLUTION.

BE IT RESOLVED by the Board of Directors of the Twin Platte Natural Resources District, in the State of Nebraska, as follows:

Section 1. The Board of Directors of the Twin Platte Natural Resources District, in the State of Nebraska, (the "District") hereby finds and determines:

- (a) that the District has entered into an Interlocal Cooperation Agreement dated October 19, 2012 (for the Upper Republican Natural Resources District), October 19, 2012 (for the Lower Republican Natural Resources District), October 23, 2012 (for the Middle Republican Natural Resources District) and October 18, 2012 (for the Twin Platte Natural Resources District) (as amended, the "Interlocal Agreement") by and among the Upper Republican Natural Resources District, the Middle Republican Natural

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

Resources District, the Lower Republican Natural Resources District and the Twin Platte Natural Resources District (each, a "Member District" and collectively, the "Member Districts"), which provides for the creation, governance and operation of the Nebraska Cooperative Republican Platte Enhancement Project (the "Agency"), a joint entity constituting a separate body corporate and politic of the State of Nebraska, organized and existing under Sections 13-801 to 13-827, R.R.S. Neb. 2012, as amended (the "Interlocal Act") and that the District's representative and alternate representative to the governing board of the Agency, each of whom has the authority to act on behalf of the District under the Interlocal Agreement, are Jerry Weaver and Jim Meismer;

(b) that the Agency has been formed to acquire, own, operate and finance a river flow enhancement project consisting of approximately 19,500 acres of agricultural real estate (more particularly defined below as the "Project Property") and certain water transmission and distribution facilities and related equipment and improvements to land (the "Water Transmission Improvements;" the Project Property and the Water Transmission Improvements are referred to collectively as the "Project") and to issue bonds on behalf of the Member Districts;

(c) that under the terms of Sections 2-3225, 2-3226.01, 2-3226.02, 2-3226.03, 2-3226.04, 2-3226.05, R.R.S. Neb. 2012, as amended (together, the "Riverflow Enhancement Statutes") the District is qualified to issue bonds under the terms of Section 2-3226.01 of the Riverflow Enhancement Statutes if it has an integrated management plan as described in subsection (1) of Section 2-3226.01 of the Riverflow Enhancement Statutes (a "Qualified Integrated Management Plan"); and the District has in place a Qualified Integrated Management Plan;

(d) that the District previously issued its (i) Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2015, in the principal amount of \$1,282,002.05 and now outstanding in the principal amount of \$1,008,705.25 (the "2015 District Bond") in order to secure and provide payment for the Agency's River Flow Enhancement Revenue Refunding Bonds, Series 2015 in the original principal amount of \$13,885,000.00 and now outstanding in the principal amount of \$10,925,000.00 (the "2015 Agency Bonds") as issued by the Agency on November 3, 2015, the proceeds of which were used to refinance and redeem the Agency's Taxable River Flow Enhancement Revenue Bonds, Series 2013C in the aggregate principal amount of \$15,700,000.00 issued on December 24, 2013, the proceeds of which were used for the acquisition, construction and installation of the Water Transmission Improvements and paying certain costs of issuance, and (ii) Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2017 in the original principal amount of \$21,693,820.07 (which principal amount was reduced immediately after closing to \$21,194,820.06) and now outstanding in the principal amount of \$18,874,200.56 (the "2017 District Bond" and together with the 2015 District Bond, the "Outstanding District Bonds") in order to secure and provide payment for a portion of the Agency's River Flow Enhancement Revenue Refunding Bonds, Series 2017 in the original principal amount of \$86,060,000.00 and now outstanding in the

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

principal amount of \$75,760,000.00 (the “2017 Agency Bonds” and together with the 2015 Agency Bonds, the “Outstanding Agency Bonds”); as issued by the Agency on May 1, 2017, the proceeds of which were used to refinance the Agency’s (1) River Flow Enhancement Revenue Bonds, Series 2013A in the principal amount of \$75,575,000.00, and (2) River Flow Enhancement Revenue Bonds, Series 2013B (Federally Taxable Interest) in the principal amount of \$16,985,000.00, the proceeds of which were used to refinance (and repay temporary indebtedness and reimbursement amounts advanced by the Agency) the purchase price for the Project Property;

(e) that interest rates have declined in the municipal bond markets such that the Agency is able to obtain a savings in interest costs through the issuance of refunding bonds to refund some or all of the Outstanding Agency Bonds (and therefore the District is able to obtain a savings in interest costs through the issuance of a refunding bond to refund some or all of the maturities of the Outstanding District Bonds), and that the Agency currently proposes to refund some or all of its Outstanding Agency Bonds through the issuance of its River Flow Enhancement Revenue Refunding Bonds, Series 2020, in one or more series, in a principal amount not to exceed \$95,000,000.00 (the “2020 Agency Bonds”);

(f) that the 2020 Agency Bonds are to be issued under the terms of a Trust Indenture and Security Agreement dated as of September 1, 2013, as supplemented, including as supplemented by the Fourth Supplemental Trust Indenture and Security Agreement (collectively, the “Indenture”) between the Agency and Union Bank & Trust Company, as trustee (the “Trustee”);

(g) that under the terms of the Interlocal Agreement and related agreements, the District’s share with respect to the aggregate amount of such funding and the costs of (i) the Project Property was originally determined to be 25.0000%, and (ii) the Water Transmission Improvements was originally determined to be 8.614%; however, from time to time, the Member Districts reallocated the payment obligations for various reasons, including to reflect cash contributions from one or more Member Districts and to adjust maturity schedules at the request of one or more Member Districts;

(h) that consistent with the terms of the Interlocal Agreement and related agreements, the District’s share with respect to the funding and costs of (i) the Project Property at the time the 2017 Agency Bonds were issued were determined to be 25.208%, as adjusted and reallocated to reflect cash contributions, and (ii) the Water Transmission Improvements at the time the 2015 Agency Bonds were issued were determined to be 9.233%, as adjusted and reallocated to reflect cash contributions, and the District’s percentage share with respect to funding and costs of the 2020 Agency Bonds shall be consistent with such percentages prior to any adjustments or allocations for contributions by any of the Member Districts (including the District);

(i) that, to provide a source for the payment of the 2020 Agency Bonds and in consideration of the Agency’s undertaking to issue the 2020 Agency Bonds, it is

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

necessary and advisable for the District to issue its own bond or bonds, supported by its occupation taxes, subject to the terms provided for in this resolution;

(j) that the 2015 District Bond is subject to redemption in whole or in part at par plus accrued interest at any time on or after November 3, 2020 and the 2017 District Bond is subject to redemption in whole or in part at par plus accrued interest at any time on or after May 1, 2022 and if redeemed in part, surrendered to the Paying Agent and Registrar in exchange for a new bond evidencing the unredeemed principal thereof; and

(k) that the resolutions adopted by the District authorizing the issuance of the 2015 District Bond and the resolutions adopted by the District authorizing the issuance of the 2017 District Bond provide for the issuance of additional bonds of equal lien and standing with certain other outstanding bonds of the District upon the satisfaction of certain conditions precedent (which have been satisfied or are expected to be satisfied prior to the closing and delivery of the bond authorized in this resolution, such to be evidenced by certificate of an Authorized Officer (defined below) of the District).

Section 2. To refund some or all of the Outstanding District Bonds and provide a source for the payment and security of the 2020 Agency Bonds pursuant to the Interlocal Agreement and in consideration of the Agency's undertaking to provide for application of the proceeds of the 2020 Agency Bonds to refinance and redeem the Outstanding Agency Bonds and paying certain costs of issuance of the 2020 Agency Bonds, there shall be and there is hereby ordered issued the Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2020, of the District, in one or more series, in the maximum stated principal amount of Twenty-One Million Five Hundred Thousand and No/100 Dollars (\$21,500,000.00) (each, a "2020 District Bond").

(a) One or more of the officers of the District identified in Section 15 of this resolution (the "Authorized Officers") is hereby authorized to approve the final principal amounts, interest rates, taxable status, maturity schedule, interest payment dates, principal installments and other terms for the 2020 District Bond, including the allocation of the payment obligations contemplated herein, consistent with the terms of this resolution (such to be evidenced by the execution and delivery of 2020 District Bond by an Authorized Officer) and to approve the amount of a cash contribution, if any, by the District to repay a portion of its payment obligation for the 2020 District Bond. The aggregate principal of the 2020 District Bond shall fall due in separate principal installments each bearing interest at a stated rate of interest in accordance with the schedule provided in the 2020 District Bond, which terms may be modified as and to the extent deemed necessary by one or more of Authorized Officers in order to correspond with and provide for payment of the District's share of the amount required on each payment date to provide for payment in full (taking into consideration the final terms of bonds to be issued by the other Member Districts) of the 2020 Agency Bonds. Notwithstanding the foregoing, in no event shall (a) the aggregate stated principal amount of the 2020 District Bond exceed \$21,500,000.00; or (b) the true interest cost of

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

the 2020 District Bond exceed Three Percent (3.00%); or (c) the longest maturity of any 2020 District Bond extend beyond December 15, 2035.

(b) The 2020 District Bond shall be issued in fully registered form in aggregate denominations of \$21,500,000.00_(or any lesser final principal amount in fact issued). The date of original issue for the 2020 District Bond shall be the date of delivery thereof. Interest on the 2020 District Bond, at the rate for each principal installment, shall be payable commencing December 15, 2020 and thereafter semi-annually on June 15 and December 15 of each year (such dates, or such other interest payment dates as may be set out in the 2020 District Bond are each an “Interest Payment Date”), and the principal installments of the 2020 District Bond shall bear such interest from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later. The interest due on each Interest Payment Date and the principal installments due on each December 15 prior to final maturity (such date, or such other principal payment date as may be set out in the 2020 District Bond are each a “Principal Payment Date”) shall be payable to the registered owner of record as of the fifteenth day immediately preceding the Interest Payment Date or Principal Payment Date (such dates, or such other record date or dates as may be set out in the 2020 District Bond are each a “Record Date”), subject to the provisions of Section 4 hereof. The 2020 District Bond shall be numbered R-1. Payments of principal and interest due on the 2020 District Bond prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest and/or principal on each Interest Payment Date or Principal Payment Date to the registered owner of the 2020 District Bond (including the Trustee as pledgee) noted on the registration records of the Paying Agent and Registrar; for all purposes of this resolution, references to the “registered owner” shall mean and include the Trustee as the pledgee and, unless otherwise directed by such pledgee, all payments on the 2020 District Bond shall be made to such pledgee), as of the Record Date for such Interest Payment Date or Principal Payment Date, to such owner’s registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payment of principal due at final maturity or at any date fixed for redemption in whole prior to maturity, together with unpaid accrued interest thereon, shall be made by said Paying Agent and Registrar to the registered owner upon presentation and surrender of the 2020 District Bond to said Paying Agent and Registrar. The District and said Paying Agent and Registrar may treat the registered owner of the 2020 District Bond as the absolute owner of the 2020 District Bond for the purpose of making payments thereon and for all other purposes and neither the District nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether the 2020 District Bond or any installment of principal or interest due thereon shall be overdue or not. The registration of ownership of the 2020 District Bond is hereby expressly authorized to be shown as subject to pledge in favor of the Trustee as pledgee of the Agency, with any and all payments directed to be made by the Paying Agent and Registrar to the Trustee, as registered pledgee. All payments on account of interest or principal made to the registered owner of the 2020 District Bond in accordance with the terms of this

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

resolution shall be valid and effectual and shall be a discharge of the District and said Paying Agent and Registrar, in respect of the liability upon the 2020 District Bond, for claims for interest or principal or both, to the extent of the sum or sums so paid.

Section 3. The Treasurer of the District (the “Treasurer”) is hereby designated to serve as Paying Agent and Registrar for the 2020 District Bond. The Treasurer, as Paying Agent and Registrar, shall keep and maintain for the District books for the registration and transfer of the 2020 District Bond at said Treasurer’s office, being one and the same office as the principal administrative office of the District. The name and registered address of the registered owner of the 2020 District Bond (including the name of the Trustee, as registered pledgee) shall at all times be recorded in such books. The 2020 District Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner (with the consent of the Trustee as registered pledgee) in person or by such owner’s duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the District, will deliver at its office (or send by registered mail to the transferee owner thereof at such transferee owner’s risk and expense), registered in the name of the transferee owner, a new Bond of the same series, applicable interest rates, principal maturity schedule (including principal installments) and aggregate outstanding principal amount and maturity schedule. In every case of transfer of the 2020 District Bond, the surrendered Bond shall be canceled and destroyed. Any Bond issued upon transfer of the 2020 District Bond so surrendered shall be a valid obligation of the District evidencing the same obligation as the 2020 District Bond surrendered and shall be entitled to all the benefits and protection of this resolution to the same extent as the 2020 District Bond upon transfer of which it was delivered. The District and said Paying Agent and Registrar shall not be required to transfer the 2020 District Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer the 2020 District Bond as called for redemption for a period of 30 days next preceding the date fixed for redemption. The District hereby agrees to provide a supply of one or more fully executed bond certificates for delivery by the Paying Agent and Registrar in the event of any such transfer of in the event of any partial redemption.

Section 4. In the event that payments of principal or interest due on the 2020 District Bond on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owner as of the Record Date for such Interest Payment Date and shall be payable to the registered owner of the 2020 District Bond as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. The 2020 District Bond shall be subject to redemption, in whole or in part, prior to maturity, at any time at par plus accrued interest on or after the earlier to occur of: (a) the fifth (5th) anniversary of the delivery of the 2020 District Bond, or (b) such time as the 2020 Agency Bonds have been called for redemption under the terms of the Indenture, or (c) such time as the 2020 Agency Bonds are no longer Outstanding under the terms of the Indenture. If the 2020 District Bond is redeemed in part, it shall be surrendered to said Paying Agent and

TWIN PLATTE NATURAL RESOURCES DISTRICT
 Board of Directors Meeting Minutes – September 10, 2020

Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of the 2020 District Bond (together with evidence of the corresponding notice of redemption of corresponding 2020 Agency Bonds) shall be given at the direction of the District by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of the 2020 District Bond at said owner’s registered address. Such notice shall designate the 2020 District Bond by title and registration number, the date of original issue, series and the date fixed for redemption and shall state that such Bond is to be presented for prepayment at the office of the Paying Agent and Registrar. In case of any partial redemption, such notice shall specify the portion of the principal amount and the maturity to be redeemed. No defect in the mailing of notice for the 2020 District Bond shall affect the sufficiency of the proceedings of the District designating the 2020 District Bond for redemption and the District shall have the right to further direct notice of redemption for the 2020 District Bond in the event that defective notice has been given. The registered owner of the 2020 District Bond may waive notice of redemption at any time, in advance or after the fact.

Section 6. If the date for payment of the principal of or interest on the 2020 District Bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the State of Nebraska are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 7. The 2020 District Bond shall be in substantially the following form:

**UNITED STATES OF AMERICA
 STATE OF NEBRASKA
 TWIN PLATTE NATURAL RESOURCES DISTRICT
 Limited Obligation Occupation Tax
 Supported River Flow Enhancement Refunding Bond
 Series 2020[A][B]**

No. R-1 \$ _____

<u>Interest Rate for Maturity</u>	<u>Final Maturity Date</u>	<u>Date of Original Issue</u>
See table below.	_____, 20__	_____, 2020

Registered Owner: Nebraska Cooperative Republican Platte Enhancement Project, subject to pledge in favor of Union Bank & Trust Company, as Trustee under Trust Indenture and Security Agreement dated as of September 1, 2013, as supplemented on December 1, 2013, November 1, 2015, May 1, 2017 and _____, 2020

Principal Amount: \$ _____

TWIN PLATTE NATURAL RESOURCES DISTRICT
 Board of Directors Meeting Minutes – September 10, 2020

KNOW ALL PERSONS BY THESE PRESENTS: That the Twin Platte Natural Resources District, in the State of Nebraska, (the “District”) hereby acknowledges itself to owe and for value received promises to pay, but only from the special taxing source hereinafter described and other sources lawfully available to the District, to the registered owner specified above, or registered assigns (including the Trustee for the Agency Bonds, as registered pledgee), the principal amount specified above in lawful money of the United States of America in separate principal installments on the dates of maturity specified in the following table and with interest on the amount of each principal installment as specified in the following table:

Maturing _____ of Year	<u>Principal Amount Maturing</u>	<u>Interest Rate Per Annum</u>
---------------------------	----------------------------------	--------------------------------

with such interest applying for the related principal maturity, until the related maturity date (or earlier redemption) from the date of original issue or most recent Interest Payment Date to which interest has been paid or provided for, whichever is later, at the rate per annum specified above, with all such interest payable on _____, 20__ and semiannually thereafter on _____ and _____ of each year (each, an “Interest Payment Date”). Such interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of this bond due at final maturity together with interest thereon unpaid and accrued at maturity (or earlier redemption in whole) is payable upon presentation and surrender of this bond to the Treasurer of the District, as Paying Agent and Registrar, at the District’s administrative offices in North Platte, Nebraska (with such payments to be made to Union Bank & Trust Company, as Trustee for the Agency Bonds described below). Principal falling due prior to final maturity and interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date and/or principal payment date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond (with such payments to be made to the pledgee in the case that a pledge has been noted above), as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, and/or principal payment date, to such owner’s address as shown on such books and records. Any such principal or interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is in fully registered form, which is issued by the District to provide security for and a source for the payment of the River Flow Enhancement Revenue Refunding Bonds, Series 2020[A][B], being issued by the Nebraska Cooperative Republican Platte Enhancement Project (a public body corporate and politic established under the Interlocal Cooperation Act of the State of Nebraska, the “Agency”) in the principal amount of \$_____ (the “Agency Bonds”) pursuant to the Interlocal Agreement and in consideration of the Agency’s undertaking to refinance and redeem [\$_____ of the Agency's River Flow Enhancement Revenue Refunding Bonds, Series 2015, date of original issue – November 3, 2015,] [and \$_____ of the Agency's River Flow Enhancement Revenue Refunding Bonds, Series 2017, date of original

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

issue – May 1, 2017,] and paying certain costs of issuance. The issuance of this bond has been authorized by proceedings duly had and a resolution legally adopted by the Board of Directors of the District (the “Resolution”). The terms of the Resolution are hereby incorporated by reference. This bond is an obligation of the District only and is not a debt of the State of Nebraska or any other political subdivision thereof or any other entity related to the District.

This bond is subject to redemption prior to maturity at the option of the District, in whole or in part, prior to maturity, at any time at par plus accrued interest on or after the earlier to occur of: (a) the fifth (5th) anniversary of the delivery of the 2020 District Bond, or (b) such time as the Agency Bonds have been called for redemption under the terms of the Indenture. Notice of redemption (together with such other documentation as may be required under the Resolution) shall be given by mail to the registered owner of this bond (and any pledgee noted above) at said registered owner’s address in the manner specified in the Resolution. This bond may be redeemed in part in any principal amount designated by the District, subject to the limitations set forth in the Resolution.

This bond is transferable by the registered owner (or any pledgee upon enforcement of such pledgee’s security rights) or such owner’s or pledgee’s attorney duly authorizing in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond of the same outstanding principal amount, interest rate and maturity will be issued to the transferee as provided in the Resolution, subject to the limitations therein prescribed. The District, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered (and any pledgee) as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the State of Nebraska are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

For the prompt payment of the principal and interest on this bond, the District hereby covenants and agrees that it shall cause to be levied and collected annually the occupation tax authorized by Section 2-3226.05, R.R.S. 2012, as amended, in such amounts, within the statutory limitation, as will provide funds sufficient to make payment of the principal of and interest on this bond (and all other bonds or obligations of the District payable from said occupation tax) as the same fall due.

IT IS HEREBY CERTIFIED AND WARRANTED that the proceeds of this bond, in the form of proceeds realized by the Agency from issuance of its Agency Bond, are being used to finance the costs of the augmentation of river flows consistent the authority granted under Chapter 2, Article 32, R.R.S. Neb. 2012, as amended and further that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

By: _____
Authorized Officer

Section 8. The 2020 District Bond shall be executed on behalf of the District with the manual or facsimile signatures of the Chairman and Secretary of the Board of Directors of the District. The 2020 District Bond shall be issued in fully registered form only. In case any officer whose signature or facsimile thereof shall appear on the 2020 District Bond shall cease to be such officer before the delivery of the 2020 District Bond (including any bond certificate delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The 2020 District Bond shall not be valid and binding on the District until authenticated by the Paying Agent and Registrar. The 2020 District Bond shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the 2020 District Bond, it shall be delivered to the District Treasurer, who is authorized to deliver it to the Agency, as the initial registered owner thereof with notation of pledge in favor of the Trustee, to be held by the Trustee, as security for and in consideration for the issuance by the Agency of the 2020 Agency Bonds.

Section 9. The District’s Secretary is directed to make and certify two or more transcripts of the proceedings of the Board of Directors precedent to the issuance of the 2020 District Bond, one of which transcripts shall be delivered to the Agency and the other to the initial purchaser of the 2020 Agency Bonds.

Section 10. For the prompt payment of the 2020 District Bond, both principal and interest as the same fall due, the District hereby agrees that it shall cause to be levied and collected annually the occupation tax authorized by Section 2-3226.05, R.R.S. 2012 (the “Occupation Tax”) sufficient to pay the principal of and interest on the 2020 District Bond as the same fall due (and all other bonds and obligations payable from the Occupation Tax). To the fullest extent that it may lawfully do so, and for the benefit of each of the Member Districts which are members of the Agency in keeping with the terms of the Interlocal Act and the various responsibilities of each of the Member Districts under the Riverflow Enhancement Statutes and the Interlocal Agreement, (a) the District hereby pledges such Occupation Tax as levied and collected and to be levied and collected to secure its obligations under the 2020 District Bond, and (b) the District hereby agrees that so long as the 2020 Agency Bonds remain outstanding and unpaid, the District will not issue any further bonds or other indebtedness payable from and secured by the Occupation Tax unless such indebtedness is permitted under the terms of Section 11 below. As and to the extent that a portion of the proceeds of the Agency Bonds are applied to pay interest on the Agency Bonds, the District shall receive a proportionate credit (based on the outstanding amount of the 2020 District Bond as compared to the outstanding amount of all bonds issued by the other Member Districts and held by the Agency as security for the Agency Bonds) against payment of interest due on this bond.

Section 11. Additional bonds or other indebtedness payable from and secured by the Occupation Tax (“Additional Bonds”) may not be issued by the District except as follows:

(a) *Additional Bonds for New Projects.* Additional Bonds payable from and secured by the Occupation Tax may be issued for the purposes permitted under the Riverflow Enhancement Statutes, which may include: (i) paying the cost of projects of the District for augmentation of river flows and related costs of issuance, or (ii) supporting additional bonds to be issued by the Agency under the terms of the Agency Indenture and the Cooperation Act for the purpose of paying the cost of river flow enhancement projects of the Agency for augmentation of river flows for the benefit of the District (and the Agency’s other Member Districts), in either case upon compliance with the requirements of the Riverflow Enhancement Statutes and also with the following conditions:

(1) Such Additional Bonds must be issued pursuant to a resolution of the District which provides for the levy and collection of Occupation Tax sufficient to pay principal and interest on the 2020 District Bond, any Additional Bonds then outstanding, and the Additional Bonds to be issued; and

(2) The District shall comply with one of the following conditions:

(A) The Occupation Tax collections in the fiscal year immediately preceding the date of issuance of the Additional Bonds, as shown by the audited financial statements of the District (or, in the case of the issuance of Additional Bonds to be issued at a time when audited financial statements are not available for the most recently completed fiscal year, as shown by the audited financial statements of the District the next preceding fiscal year, together with an unaudited financial statement for the most recently completed fiscal year as certified by the District’s General Manager), shall have been at least equal to 1.25 times the Average Annual Debt Service Requirements of the 2020 District Bond and any Additional Bonds, all as then outstanding, and of the proposed Additional Bonds; or

(B) The District shall have received a projection made by an independent consulting engineer or certified public accountant of recognized standing, showing that the Occupation Tax collections (taking into account any authorized increase in the Occupation Tax levy to be imposed in connection with such Additional Bonds, which authorization shall occur prior to or in connection with the authorization of the issuance of the Additional Bonds) in each of the three (3) full fiscal years after the issuance of the proposed Additional Bonds will be at least equal to 1.25 times the Average Annual Debt Service Requirements of the 2020 District Bond and any Additional Bonds, all as then outstanding, and of the proposed Additional Bonds.

For such purposes, “Average Annual Debt Service Requirements” shall be determined by adding all of the principal and interest which will become due when computed to the absolute maturity of the 2020 District Bond and Additional Bonds, if any, then outstanding, and all of the principal and interest of the Additional Bonds to be issued, and dividing such total by the number of years remaining that the longest bond of any issue of bonds (including the Additional Bonds to be issued) has to run to maturity. For purposes of any such calculation any bonds due as term bonds and subject to a schedule of mandatory redemption shall be treated as maturing in accordance with such schedule of mandatory redemptions.

(b) *Additional Bonds issued as Refunding Bonds.* Additional Bonds payable from and secured by the Occupation Tax may be issued for the purpose of refunding the 2020 District Bond or any Additional Bonds from time to time outstanding and paying related costs of issuance upon compliance with the requirements of the Riverflow Enhancement Statutes and also with the following conditions:

(1) Such Additional Bonds must be issued pursuant to a resolution of the District which provides for the levy and collection of Occupation Tax sufficient to pay principal and interest on the 2020 District Bond and any Additional Bonds remaining outstanding following the issuance of such Additional Bonds, and the Additional Bonds to be issued; and

(2) The District shall comply with one of the following conditions:

(A) None of the 2020 District Bond or Additional Bonds issued to the Agency outstanding prior to such issuance of such Additional Bonds will remain outstanding after such issuance of Additional Bonds;
or

(B) If any of the 2020 District Bond or any Additional Bonds issued to the Agency are to remain outstanding after such issuance, then either (i) the aggregate amount of principal payments (including sinking fund installment payments) due in any fiscal year of the District on such outstanding 2020 District Bond and Additional Bonds and the Additional Bonds to be issued may not be increased over the amount of principal payments (including sinking fund installment payments) due in any fiscal year of the District on the 2020 District Bond and such Additional Bonds outstanding prior to giving effect to such refunding; or (ii) the principal and interest payments due in any fiscal year of the District on the proposed Additional Bonds may not be increased over the amount of the principal and interest payments due in such fiscal years on the bonds refunded through the issuance of the Additional Bonds for each of such years; or

(C) The District shall have complied with the requirements of Section 11(a)(2)(A) or (B) above, provided that for purposes of establishing the Average Annual Debt Service Requirement, the District may exclude debt service on the bonds to be refunded (but shall include debt service on the refunding bonds) as long as such refunded bonds are no longer outstanding under the terms of the resolution or other instrument authorizing their issuance.

(c) *Provisions Applicable to all Additional Bonds.* In connection with the issuance of Additional Bonds under Section 11(a) or (b) above, the officers of the District must certify to the Agency and the Trustee under the Agency Indenture that:

(1) All conditions to the issuance of such Additional Bonds under the terms of this resolution (and all other resolutions governing bonds then outstanding which are payable from the Occupation Tax) and under the Riverflow Enhancement Statutes have been satisfied, which certification shall be accompanied by the financial statements (or projections, as applicable) and other information required under clauses (a) and (b) of this Section 11, as applicable; and

(2) The District is not in default under the terms of this resolution or any other resolution governing the issuance of Additional Bonds, and that the issuance of such Additional Bonds, including execution and delivery of all related documents, shall not cause the District to be in default under this resolution or any other material resolution, indenture, agreement or other instrument.

Section 12. Nothing in this resolution shall prevent the District from issuing notes or other forms of indebtedness issued in anticipation of the issuance of Additional Bonds for any purpose described in Section 11, with such notes or other forms of indebtedness payable from the Occupation Tax, but any such notes or other form of indebtedness payable from the Occupation Tax shall be made expressly junior and subordinate in right and payment to the 2015 District Bond and the 2017 District Bond (to the extent outstanding), the 2020 District Bond and all Additional Bonds from time to time outstanding. The District shall have the right to pay interest thereon and principal thereof as long as no deficiency exists in the payments required on the 2015 District Bond and the 2017 District Bond (to the extent outstanding), the 2020 District Bond and all Additional Bonds from time to time outstanding.

Section 13. The 2020 District Bond is being issued with the understanding that interest on the 2020 District Bond is to be includable in gross income for purposes of federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”), as and to the extent applicable, and that no Form 8038G is to be filed with respect to the 2020 District Bond. As determined by the Board of Directors of the Agency, the 2020 Agency Bonds may be issued in one or more series which shall bear interest which is to be excluded from gross income for

purposes of federal income taxation under the Code (“Tax-exempt Bonds”). The District covenants, as and to the extent applicable, that it will not take any action which will cause any Agency Bonds issued by the Agency as Tax-exempt Bonds to lose such status as Tax-exempt Bonds.

Section 14. The District’s obligations under this resolution with respect to the 2020 District Bond shall be fully discharged and satisfied as to such bond and such bond shall no longer be deemed to be outstanding hereunder if such bond has been purchased by the District and canceled or when the payment of principal of and interest thereon to the respective dates of maturity or redemption (a) shall have been made or caused to be made in accordance with the terms thereof or (b) shall have been provided for by depositing with a national or state bank having trust powers, or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations (including obligations issued or held in book entry form on the books of the Department of Treasury of the United States of America) or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as “U.S. Government Obligations”) in such amount and bearing interest payable and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will ensure the availability of sufficient money to make such payments; provided, however, that with respect to the 2020 District Bond if it is to be paid prior to maturity, the District shall have duly called the 2020 District Bond for redemption in whole and given notice of such redemption as provided by law or made irrevocable provision for the giving of such notice. Any money so deposited with such bank or trust company in excess of the amount required to pay principal of and interest on the 2020 District Bond shall be paid over to the District as and when collected. No redemption of the 2020 District Bond in connection with any such satisfaction of the 2020 District Bond under (b) of this Section shall be made except in connection with a related and corresponding redemption of the 2020 Agency Bonds. For purposes of this Section, money or obligations deposited with respect to the 2020 Agency Bonds and identified as satisfying the District’s responsibility with respect to its portion thereof shall be conclusively deemed to have been deposited with respect to the 2020 District Bond.

Section 15. The Chairman, Vice Chairman, Secretary, Treasurer and General Manager of the District are each hereby approved to act as Authorized Officers on behalf of the District under the terms of this resolution to execute any documents and certifications required in connection with the issuance by the District of the 2020 District Bond and in connection with the issuance by the Agency of the 2020 Agency Bonds and to carry out and perform any and all actions contemplated by the terms of this resolution for the District.

Section 16. The District, in its capacity as an “obligated person” with respect to the Agency Bonds within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, as amended (“Rule 15c2-12”) agrees that it will provide to the Agency or its designee such certifications, information and notices concerning the District and the 2020 District Bond as may be reasonably requested by the Agency in connection with the Agency’s compliance with its obligations and undertakings under Rule 15c2-12 with respect to the 2020 Agency Bonds.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

Section 17. This resolution shall be in force and take effect from and after its adoption as provided by law.

Mr. Wiseman seconded the motion. The motion carried. (Motion #7)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman
Nay: None
Absent & Excused: Petersen

Offset Water - NCORPE Project – Operations – North Pipeline to Platte River – Mr. Miller reported there were no shortages in the river in January, February, March, April, and May 2020. Mr. Miller reported there were shortages in the river in June 2020 and pumping began on July 7, 2020. Mr. Miller reported pumping was stopped on July 15, 2020 due to a crack in a sidewall slab and pumping resumed on July 27, 2020 following completion of repairs. Mr. Miller reported NE DNR provided to the TPNRD the following table for water needed from the NCORPE Project for post-97 depletions for this reach of the river for the remainder of calendar year 2020 which is the amount being delivered.

August	September	October	November	December
18.05 cfs	18.31 cfs	15.28 cfs	12.77 cfs	11.38 cfs

Mr. Miller reported there will be approximately 3,100 acre-feet pumped during the remainder of the 2020 calendar year. Mr. Miller reported that NPPD has a planned outage this fall for approximately six weeks when pumping will not be able to occur. Mr. Miller reported the amount of water delivered, compared to the 5,600 acre-feet available for the 2020 calendar year, will be available for the TPNRD to use in future years.

Mr. Miller reported the agreement TPNRD has with NPPD provides that representatives from TPNRD and NPPD shall meet no later than November 15th of each year, and at any other times as necessary, to prepare a Delivery Plan for the upcoming "Delivery Year," which is defined as January 1st through December 31st. Mr. Miller reported the meeting for the 2021 calendar will be on September 21, 2020.

Offset Water - NCORPE Project – Operations – South Pipeline to Republican River – Mr. Meismer reported there is currently no plans to pump NCORPE water to the Republican River.

Offset Water - NCORPE Project – Ground Water Levels – No report presented.

Offset Water - NCORPE Project – Board Meetings – Mr. Meismer reported on the last NCORPE Board meeting held on August 19, 2020. Mr. Meismer reported the next NCORPE Board meeting will be September 16, 2020.

Offset Water - Upper Platte River Basin Grand Plan – No report presented.

Offset Water – Irrigation Districts - TPNRD Programs - No report presented.

Offset Water – Irrigation Districts – Acreage Reserve Program - No report presented.

Offset Water – Non-Irrigated Certified Acres - Temporary Purchase of Water - No report presented.

Offset Water – Non-Irrigated Certified Acres - Permanent Purchase of Water - No report presented.

Offset Water – Conservation Tillage Measures – No report presented.

Offset Water – CPNRD Agreement – No report presented.

Water Data Program – Mr. Meismer reported the Water Data Program has the following components approved by the Board of Directors.

- Agreement with GiSC
- Obtaining irrigation well flow rates
- A second increment Integrated Management Plan (IMP) Work Plan with Olsson Associates for working with the GiSC data
- Validation of the data obtained by GiSC with water meters on wells in the TPNRD
- Installing transmitters with wireless communications for the running time of diesel/gas powered wells
- Data Storage & Management

Water Data Program – GiSC Activities – Mr. Schneider and Mr. Miller gave a status report.

Mr. Miller reported the TPNRD has submitted a grant application to the Nebraska Environmental Trust to fund the Nebraska Educational Telecommunications (NET) to produce a documentary to educate the public about the TPNRD Water Data Program. Mr. Miller reported NET is willing to produce and air the documentary for telling the story of the water data program. Mr. Miller reported the documentary will be able to be broken into small segments and the TPNRD, and our partners, will be able to use the small segments on social media, on websites, in news releases, and in promotional opportunities. Mr. Miller reported the application is for \$68,000, is matched with funds the TPNRD is spending for the Water Data Program and will not require any additional new funds for the required match from the TPNRD. Mr. Miller reported that Sydney Norris, Media & Communications Coordinator, prepared the application, working with Mr. Schneider and other Olsson staff. Mr. Miller reported that Ms. Norris will be involved in the production. Mr. Miller reported the Nebraska Environmental Trust grant application is available for information.

Water Data Program – IMP Work Plan – Mr. Schneider reported on activities for the work plan.

Mr. Schneider reported the TPNRD has obtained a US Bureau of Reclamation Grant of \$31,350 for 30 additional wells in 2021 to continue the validation of the data obtained by

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

GiSC. Mr. Schneider reported the grant will fund 30 new well meters with Paige Wireless transmitters, flowmeter counter sensors, and the subscription charge. Mr. Miller reported the TPNRD expects in the near term, NE DNR will request more than the original 30 wells put in place in 2020 for the validation of the data obtained by GiSC. Mr. Miller reported the application for the grant was prepared by Mr. Schneider.

Water Data Program – Paige Wireless – Mr. Miller reported the TPNRD is working with Paige Wireless for installing LoRaWAN transmitters for wireless communications for the running time of diesel/gas powered wells, which are around 20% of the wells in the TPNRD, and for validation of the data obtained by GiSC using water meters on wells that are connected to the TPNRD using LoRaWAN transmitters for wireless communications.

Mr. Schneider introduced Julie Bushell, President of Paige Wireless. Ms. Bushell told about herself and about Paige Wireless.

North Platte River Channel Incision below Lake McConaughy – No report presented.

Subcommittee Priorities – Mr. Meismer reported the following is the list of subcommittee priorities for offset water.

1. Data Collection / Water Savings Project (GiSC)
2. Irrigation Districts in TPNRD
 - Transfers (Cody-Dillon)
 - Excess Flows (Keith–Lincoln, Paxton-Hershey, Platte Valley, Suburban, & Western)
3. NCORPE Project
4. Non-Irrigated Certified Acres
5. Conservation Tillage Measures
 - Platte Basin Coalition Conservation Study currently
6. CPNRD Agreement
 - Up to 1,500 AF annually when available
7. South Platte River Compact Coalition

Regulations - Southern Keith County - No report presented.

Drought Plan – No report presented.

South Platte River Compact Coalition – No report presented.

Platte River Recovery Implementation Program (PRRIP) – No report presented.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors – Mr. Meismer reported that the Executive Committee, which he is a member, and a special committee of the NRD managers, are considering options for relocating the NARD office due to the current office being destroyed by the fire.

Nebraska Association of Resources Districts (NARD) – Annual Conference – Mr. Meismer reported the NARD Annual Conference in Kearney scheduled for September 28-29, 2020 has been canceled due to ongoing safety challenges with COVID-19.

Mr. Meismer reported the awards that were to be presented during the conference will be postponed and presented at the NARD Legislative Conference in Lincoln January 26-27, 2021. Mr. Miller reported the Star Cattle Company, located in the TPNRD, and nominated by the TPNRD, is the 2020 NARD Grassland Conservation award recipient. Mr. Miller reported the Star Cattle Company received the 2019 TPNRD Grassland Conservation Award. Mr. Miller reported the TPNRD Fall Newsletter will feature the Star Cattle Company receiving the 2020 NARD Grassland Conservation award.

Mr. Meismer reported the business session, as well as NARD board committee meetings and board meeting, will go forward in-person. Mr. Meismer reported social-distancing and direct health measures will be followed to ensure safety and the NARD is recommending that each NRD only have one representative for the business session. Mr. Miller reported he had notified the NARD that Mr. Meismer will be the TPNRD delegate for the business session and that no one else will be attending from the TPNRD. Mr. Meismer reported he will attend the NARD board committee meetings and board meeting. Mr. Miller reported available for the Directors is the resolutions packet, which contains one resolution, that will be considered during the business session. Mr. Miller asked the board members if you have any comments on the resolution, please provide them to Mr. Meismer.

Mr. Meismer reported there is a financial impact, not only to the hotel and conference center, but also to the NARD and NARD Foundation. Mr. Meismer reported the estimated financial impact for the NRAD is \$36,514 and for the NARD foundation is \$20,845. Mr. Meismer reported the NARD Executive Committee is recommending and requesting that each NRD consider a contribution to the NARD and NARD Foundation in-lieu-of sending individuals to the conference and sponsoring foundation auction items to help keep the programs going. Mr. Miller reported that available for the Directors is an estimated cost he had prepared for directors and staff attending the NARD 2020 Annual Conference and the TPNRD cost for contributing items for the foundation auction during the NARD 2020 Annual Conference if it would have been held in the amount of \$2,928.75.

Mr. Meismer moved to approve contributing \$2,928.75 to the NARD and NARD Foundation in lieu of sending individuals to the 2020 NARD annual conference and sponsoring foundation auction items during the 2020 NARD annual conference. Mr. Wahlgren seconded the motion. The motion carried. (Motion #8)

Aye: Brown, Colvin, Hansen, Meismer, Schilz, Storer, Tiedeman,
Wahlgren, Weaver, Wiseman
Nay: None
Absent & Excused: Petersen

Sandhills Task Force – Mr. Hansen presented a report.

Requests for Authorization to Travel – No requests presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported the monthly report was available for the Directors, \$46,202.55 was available, and there were no new applications to present.

Cost-Share Programs – District Conservation Programs – Mr. Miller reported the monthly report was available for the Directors, and \$9,200.00 was available.

Miscellaneous Information – Mr. Miller reported various items of information were available for the Directors.

OTHER BUSINESS

Mr. Schilz reported there will be no awards presented by the TPNRD this year due to COVID-19. Mr. Schilz reported the December board meeting is usually held at the Haythorn Ranch in Keith County followed by a presentation of the Keith & Arthur County TPNRD award and a dinner for the award recipients, the board members and their guest, the NRCS staff and their guest, and the TPNRD staff and their guest. Mr. Schilz reported there could still be a concern with COVID-19 in December, so the December 10, 2020 board meeting will be held at the TPNRD office in North Platte and there will not be a dinner following the December board meeting this year.

NEXT MEETING

Mr. Schilz reported the next Board of Directors meeting would be held on Thursday, October 8, 2020 at 7:30 pm.

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting Minutes – September 10, 2020

ADJOURNMENT

The meeting adjourned at 9:11 pm.

Jerry Weaver, Secretary