

April 6, 2021

The Board of Directors of the Pathfinder Irrigation District met in their office in Mitchell, Nebraska, on Tuesday, April 6, 2021.

Those present were: Jeff Jenkins, Monty Reisig, Alan Fenning, and Harry Howell, Directors, Randy Hoff, President, Dennis Strauch, Manager, Rick Miller Assistant Manager, and Margaret Harriger, Sec.-Treas. Absent: Mick Lookabill.

The meeting was called to order at 9:00 o'clock a.m. with reference being made to the "Open Meetings Act" as posted in the Boardroom.

The reading of the minutes was dispensed with as the minutes had been given to the Directors for prior review. A motion was made by Fenning second y Reisig to approve the minutes as presented. A roll call vote was taken with Jenkins, Reisig, Fenning, Hoff, and Howell voting yes. Absent: Lookabill. Motion Carried.

Payroll and bills in the amount of \$302,866.65 were approved on a motion by Reisig second by Jenkins. A roll call vote was taken with Jenkins, Reisig, Fenning, Hoff, and Howell voting yes. Absent: Lookabill. Motion Carried.

The Financial Statement was approved on a motion by Jenkins second b Reisig. A roll call vote was taken with Reisig, Fenning, Hoff, Howell and Jenkins voting yes. Absent: Lookabill. Motion Carried.

The Manager provided a report on the ownership of water in the following reservoirs as of April 4, 2021. Pathfinder ownership stands at 546,598 AF which is 51% of capacity. Pathfinder Irrigation Account stands at 533,293 AF which is 52% of capacity. Glendo Ownership is 130,404 AF and is 76% of capacity, Guernsey Ownership filled on March 29th and is at 45,526 AF., and the Inland Lakes stands at 26,360 AF and is 57% of capacity. The April forecasted water supply for 2021 is 1,313,003 AF, which indicates at this time, an allocation is not expected.

Water Operations for 2021 were discussed and an early run is expected to start around the 10th of May depending on weather conditions.

District Seasonal Staffing for 2021 was discussed. We are still short a ditch rider on the Minatare Division.

The Bureau of Reclamation has completed the repair work on the abandoned Outlet Tunnel at Lake Alice Dam # 1.

H.R. 133 Sec.1105 refers to the “Aquifer Recharge Flexibility Act” which allows excess water to be diverted into Reclamation facilities for aquifer recharge on eligible land has been enacted by the Senate and the House of Representative. A letter will be sent to the Bureau of Reclamation requesting permission to transfer eligible water for the purpose of aquifer recharge on eligible lands.

The 2020 District Audit has been completed and copies given to the Board for their review.

No one appeared during the time set aside for public comment.

The Manager’s report was given as follows:

**PATHFINDER IRRIGATION DISTRICT
MANAGER'S REPORT
April 6, 2021**

➤ **Pipeline Project Progress.**

The pipe has been installed on the Lateral 22 branch. Structure work has begun on the Lateral 22 project and will proceed as weather allows. The 21” pipe has arrived and has been installed. All of the pipe on the Lateral 7M project has been installed and structure work has begun. We are still waiting on the 8” pipe for the Bernhardt project.

➤ **2020 Legislative Session – LR340 Interim Study.**

The Nebraska State Irrigation Association and the Nebraska Water Resources Association are working together to push for another interim study for 2021. Due to COVID-19 the study sanctioned last year never was accomplished. We have submitted information concerning our District and the potential major costs we could be faced with in the future with aging infrastructure replacement needs. **A draft Study Resolution has been prepared by the State Association for introduction by Senator Bostelman (Nat. Resources Com. Chair).**

➤ **Jerry Bernhardt Delivery from Low Line Canal via Pump Station.**

We have ordered a new pump, column, bowl and motor for the pump station. We are waiting on 8” pipe to install from the Low Line to the delivery point.

➤ **NSIA Sponsored NET Video of Water in Nebraska.**

The Nebraska State Irrigation Association this past year sponsored a video working with NET to highlight the importance of water in Nebraska. The name of the video is “Nebraska, the Great American Water Factory”. The video will broadcast on NET sometime in 2021. I will share the dates and times for the showing as they are announced. **The video is available online for viewing at www.netnebraska.org/watermachine .**

➤ **Joint Letter to Reclamation Placing them on Notice of Potential Injury Related to the Bypass of Water from Guernsey Reservoir in 2021-22.**

I have sent a letter to all 12 of the irrigation districts that by contract share in the water supply from Guernsey Reservoir. Asking them to join in sending a letter to Reclamation placing them on notice that the bypass of water through Guernsey Reservoir during the fall of 2021 and winter of 2022 could result in an injury to the districts and their irrigators. I also enclosed the draft letter for their consideration. I have received positive responses from 10 of the 12 districts. The two districts that have not responded are Chimney Rock in Nebraska and Rock Ranch in Wyoming. I recently reached out to them again and to date have not received a response. **I have started to get signatures on the letter from the various districts and plan to send it to Reclamation in April.**

➤ **2021 Legislation.**

2021 Legislation of Concern

Bill #	Introducer/Committee	Hearing Date	Comments
LB190	Hughes/Natural Resources	01-27-2021	Amended into LB507.
LB191	Hughes/Natural Resources	01-27-2021	Amended into LB507.
LB406	McConnell/Natural Resources	01-28-2021	Would create the Lower Platte River Infrastructure Task Force. The Task Force would look at 3-5 potential new infrastructure sites/projects that would help address flood control and water supply in the Lower Platte Region. Main issue is the request to take \$900,000 dollars from the Water Sustainability Fund for a 50/50 match with local funds to conduct the study. This would circumvent the established process for scoring and awarding funding for projects established by the Legislature. This bill is heavily opposed. It was thought it would not come out of committee, but the Speaker made it a Priority Bill, so it will be debated.

LB501	Flood/Judiciary	02-04-2021	Would allow for a civil action to be brought by the landowner (servient estate), to force the relocation of an easement. Steve Smith and I developed testimony in opposition for the Nebraska State Irrigation Association (NSIA). Our testimony included a potential amendment to address our concerns, whereby public power & irrigation district, irrigation districts, reclamation districts and canal company right of ways would be excluded. NSIA reach out to Senator Flood with our concerns and he has agreed to introduce our amendment at the hearing. The bill has been selected by the Speaker as a priority bill and will reach the floor for debate. Senator Flood has introduced AM 671 to exclude easements held by irrigation districts, canal companies and public power and irrigation districts.
LB507	Bostelman	02-03-2021	The original bill was to restrict the use of treated seed corn in the production of ethanol if it results in the byproduct being unsafe for livestock consumption. This is the Christmas Tree Bill that LB190 and LB191 are amended into. It also contains provisions from another LB395 bill dealing with special landowner permits to address wildlife damages to ag lands.

The tentative date for the next regular Board Meeting has been set for Wednesday, May 5, 2021, at the District office in Mitchell, NE located at 140624 10th Street and will convene at 9:00 a.m.

There being no further business to come before the Board the meeting was adjourned at 10:35 a.m.

Randy Hoff, President

Margaret Harriger, Sec.-Treas.

