

March 4, 2021

The Board of Directors of the Pathfinder Irrigation District met in their office in Mitchell, NE on Thursday, March 4, 2021.

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

The meeting was called to order at 9:00 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 Lookabill second by Reisig to accept the minutes as presented. A roll call vote was taken with Jenkins, Reisig, Fenning, Hoff and Lookabill voting yes. Absent Howell. Motion Carried.

There being no further business to come before the Board, the present Board was dissolved and the organizational meeting was called to order at 9:09 a.m.

A motion was made by Lookabill second by Reisig to elect Randy Hoff to serve as President for the ensuing year. A roll call vote was taken with Reisig, Fenning, Hoff, Lookabill and Jenkins voting yes. Absent: Howell. Motion Carried.

A motion was made by Lookabill second by Reisig to elected Jeff Jenkins as Vice-President. A roll call vote was taken with Fenning, Hoff, Lookabill, Jenkins and Reisig voting yes. Absent: Howell. Motion Carried.

A motion was made by Hoff second by Reisig to appoint Margaret Harriger as Secretary-Treasurer, Assessor and Election Commissioner, A roll call vote was taken with Hoff, Lookabill, Jenkins, Reisig, and Fenning voting yes. Absent: Howell. Motion Carried.

A motion was made by Lookabill second by Reisig to select the Star-Herald as the official newspaper. A roll call vote was taken with Lookabill, Jenkins, Reisig, Fenning and Hoff voting yes. Absent: Howell. Motion Carried.

A motion was made by Jenkins second by Reisig to select the Pinnacle Bank of Mitchell as the official depository for District Funds. A roll call vote was taken with Jenkins, Reisig, Fenning, Hoff and Lookabill voting yes. Absent: Howell. Motion Carried.

The reorganization meeting was adjourned at 9:14 a.m. and the regular meeting was called to order with reference being made to the "Open Meetings Act" as posted in the Boardroom.

Payroll and bills in the amount of \$203,805.63 were approved on a motion by Lookabill second by Reisig. A roll call vote was taken with Hoff, Lookabill, Jenkins, Reisig, and Fenning voting yes. Absent: Howell. Motion Carried.

A motion was made by Jenkins second by Reisig to approve the Financial Statement as presented. A roll call vote was taken with Lookabill, Jenkins, Reisig, Fenning and Hoff voting yes. Absent: Howell. Motion Carried.

The Bureau of Reclamation has conducted the ground penetrating radar survey of the abandoned outlet works at Lake Alice Dam # 1. The survey revealed a small void behind the area where a wood timber protrudes from the concrete wall of the outlet works. Reclamation plans to inject grout into the void to prevent the void from becoming larger. The grouting will be completed at no cost to the District.

The Manager provided a report on the ownership of water in the following reservoirs as of February 28, 2021. Pathfinder ownership stands 482,432 acre-feet and is at 47.48% of capacity, Guernsey stands at 25,551 acre-feet and is at 56.02% of capacity and the inland lakes stands at 22,819 acre-feet and is at 49.61 % capacity.

Les Kampbell met with the Board to request an additional delivery point off of Lateral 27N. A motion was made by Lookabill second by Reisig to allow the delivery. Kampbell will pay for the materials and the District will furnish the labor. A roll call vote was taken with Reisig, Fenning, Hoff, Lookabill, and Jenkins voting yes. Absent. Howell: Motion Carried.

Aaron Adams request to cross under Lateral 24D with a domestic water service line was approved on a motion by Lookabill second by Reisig. A roll call vote was taken with Fenning, Hoff, Lookabill, Jenkins and Reisig voting yes. Absent: Howell. Motion Carried

Treavor Schneider requested permission to cross under Lateral 5 with a water line to his center pivot. A motion was made by Reisig second by Jenkins to allow the water line. A roll call vote was taken with Hoff, Lookabill, Jenkins, Reisig and Fenning voting yes. Absent: Howell. Motion Carried.

A motion was made by Lookabill second by Reisig to allow the President to sign the Adams and Schneider license agreements. A roll call vote was taken with

Fenning, Hoff, Lookabill, Jenkins and Reisig voting yes. Absent: Howell. Motion Carried.

Brock Merrill of the Bureau of Reclamation, by way of teleconference, presented the Reserved Works budget for 2021 in the amount of \$128,491.49.

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
March 4, 2021**

➤ **Federal Legislation S 1570 and HR 2871.**

Federal legislation was introduced recently by Idaho representatives that would allow the use of federal irrigation facilities for groundwater recharge. The District supported the legislation and sent letters to our congressional delegation voicing our support. We have received responses from our delegation that they received and will consider our comments. If the legislation passes the District could enter into a contract with the North Platte NRD to conduct groundwater recharge activities when excess water is available. The hearing on the Senate bill was conducted in July and in September was reported out to the full body for consideration. **There was an attempt in the 116th Congress to amend this bill into the Water Resources Development Act (WRDA), but time ran out and the WRDA bill advanced to passage before it could include S.1570. I have not heard if the bill will be reintroduced in the 117th Congress.**

➤ **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 Bernhard 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.

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

Deines Irrigation has removed the District’s delivery pump that was installed in 1994 and never used. They are going through the pump to see if any repairs are needed. It looks like we will need to replace the 7½ HP motor with a 10 HP motor to delivery 650 gpm to the North portion of the Bernhard farm. This will require a 3-phase electrical service.

I have meet with Mr. Bernhardt and he agrees this is the best solution to re-establish his delivery point. We are waiting on the delivery of the 8” pvc pipe to bury from the pump to the delivery point. Nothing new to report.

➤ **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.

➤ **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 plan to move forward with gathering signatures and send the letter in March.**

➤ **2021 Legislation.**

2021 Legislation of Concern

Bill #	Introducer/Committee	Hearing Date	Comments

LB190	Hughes/Natural Resources	01-27-2021	The bill is an effort to protect the Water Sustainability Fund from having its funds diverted by the legislature. An amendment to clarify certain language is anticipated. The bill may be amended into another natural resource bill for passage.
LB191	Hughes/Natural Resources	01-27-2021	The bill was introduced to address an issue Pioneer Irrigation District has will finding enough directors to serve, due to the requirement that they be residents of Nebraska. Pioneer has less than 2,000 acres and half or more of it is owned by Colorado residents. The bill would eliminate the residency requirement for an elector in a district that has less than 2,000 acres, borders another state and half or more of the landowners are not residents of the State of Nebraska. The bill will come out of committee and be amended into another natural resource bill for passage.
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 and will not come out of committee.
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. This bill will most likely will not come out of committee. If it does Senator Flood has agreed to add our amendment.

The tentative date for the next regular meeting has been set for April 6, 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 11:15 a.m.

Randy Hoff, President

Margaret Harriger, Sec.-Treas.