

May 5, 2021

The Board of Directors of the Pathfinder Irrigation District met in their office in Mitchell, Nebraska on Wednesday, May 5, 2021.

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

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

Payroll and bills in the amount of \$244,403.07 were approved on a motion by Lookabill, second by Reisig. A roll call vote was taken with Jenkins, Reisig, Fenning, Hoff, Lookabill and Howell voting yes. Motion Carried.

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

The Manager provided a report on the ownership of water in the following reservoirs as of April 30, 2021. Pathfinder ownership stands at 584,755-acre feet, Guernsey is 45,083-acre feet, and the inland lakes stand at 22,718-acre feet.

A motion was made by Reisig second by Jenkins to make an additional payment to the Bureau of Reclamation on the XM Contract for the Guernsey North Spillway Gate repairs. A roll call vote was taken with Fenning, Hoff, Lookabill, Howell, Jenkins and Reisig voting yes. Motion Carried.

A motion was made by Lookabill second by Reisig to authorize the President to sign the Nebraska Department of Transportation Agreement (#XL2112) for replacing the Guardrail on Highway 71N bridge across the Interstate Canal. A roll call vote was taken with Hoff, Lookabill, Howell, Jenkins, Reisig and Fenning voting yes. Motion Carried.

The Water Operations for 2021 were discussed. It was decided to start the early run on May 13, 2021 for approximately 15 days depending on the weather.

Gravel pit needs in Wyoming was discussed. The District is looking into possibly purchasing some land to meet our needs.

The 2<sup>nd</sup> quarter budget was presented to the Board for their review.

The H.R. 133 Sec. 1105 “Aquifer Recharge Flexibility Act” was discussed and the Manager is still checking into it.

June 10<sup>th</sup> & 11<sup>th</sup> was the dates set for the 2021 Watershed Tour for 2021.

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  
May 5, 2021**

➤ **Pipeline Project Progress.**

All of the pipeline projects are complete. We finished installing the 8” pipe for the Bernhardt pump project and are waiting for pump & motor to arrive to finish the install.

➤ **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). The Association was not making much progress in getting Senator Bostelman to introduce the study, so I reached out to Senator Stinner and he was able to get things moving.**

➤ **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](http://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 been collecting signatures on the letter from the various districts and plan to send it to Reclamation after the May Board Meeting.

➤ **2021 Legislation.**

**2021 Legislation of Concern**

<b>Bill #</b>	<b>Introducer/Committee</b>	<b>Hearing Date</b>	<b>Comments</b>
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. <b>The bill gathered significant support from eastern senators and has advanced to final reading with some major amendments. The main objection to this bill was the redirecting of \$900,000 from the Water Sustainability Fund for the study. That has been remedied by the legislature appropriating \$2,000,000 for the study.</b>
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. <b>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. The bill has passed the legislature.</b>

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. <b>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 bill has passed the legislature.</b>
-------	-----------	------------	---

The tentative date for the next regular Board Meeting has been set for Thursday, June 3, 2021, at the District office in Mitchell, NE located at 140624 10<sup>th</sup> Street and will convene at 9:00 a.m.

There being no further business to come before the Board the meeting was adjourned at 10:30 a.m.

---

Randy Hoff, President

---

Margaret Harriger, Sec.-Treas.