

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

HOLDREGE, NEBRASKA

FEBRUARY 6, 2023 – 9:00 A.M.

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MINUTES OF COMMITTEE MEETING OF THE
BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
JANUARY 30, 2023 – 9:00 A.M.

This meeting was publicly advertised in accordance with Section 84-1411 of the Nebraska Statutes by notices aired on KRVN (Lexington) and KUVR (Holdrege) radio stations on January 23, 2023, and through legal publication in the Kearney Hub and Holdrege Daily Citizen on January 23, 2023, the North Platte Telegraph on January 24, 2023, and the Lexington Clipper-Herald on January 25, 2023, giving the time, date, and place of the meeting and the information that the Agenda was available in advance at the Office of the Assistant Secretary.

A postcard was mailed to each Director on January 16, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

David L. Rowe, President	Geoffrey K. Bogle	David G. Nelson
Kyle Shepherd, Vice President*	Tim Boyle	Dudley L. Nelson
William E. Knoerzer, Secretary	Robert B. Dahlgren	Roger D. Olson
K. Scott Olson, Treasurer	Martin E. Mueller	Kyle Shepherd

**arrived at 10:02 a.m.*

Also present were the following:

Devin M. Brundage, General Manager	Tyler Thulin, Civil Engineer
Rochelle A. Jurgens, Controller	Alex Linden, Gov't & Public Relations Mgr.
Eric R. Hixson, Electrical Project Ops. Mgr.	Duane Cernousek, Purchasing Agent
Mike A. Drain, Nat. Resources & Compliance Mgr.	Dusty Way, Irrigation Operations Super.
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Charles Brewster, Legal Counsel
Scott Dicke, Irrigation & Water Services Mgr.	Emily J. Anderson, Executive Assistant

Others:

Carson Messersmith	Scott McPheeters, Nebraska Ethanol Board
Neal Niedfeldt, Southern PPD	Reid Wagner, Nebraska Ethanol Board

* * * * *

The Board President announced that information for the public concerning the Open Meetings Act was available for interested parties to view.

At 9:01 a.m. the Board President announced that the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: None.

CONSENT TO ASSIGNMENT SUMMARY: One consent at Johnson Lake was approved in January, 2023.

PERMIT TO CONSTRUCT SUMMARY: The following permits were approved during the month of January, 2023:

Permits to Construct Approved by General Manager 1/30/2023				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
1.	Crappie Corner Area Association	SE1/4 Sec 32-9-22	Permit to Construct - Plant row of nine Blue Spruce Trees to the west of the windbreak	01/05/2023
Permits to Construct Approved by Land Administration Department 1/30/2023 – Johnson Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
2.	Moseley, James and Theresa	40 Park Lane, Bullhead Point	Permit to Operate – Vacation Rental	01/04/2023 \$250.00
3.	Koepke, Gene & Connie	6 Crappie Corner Dr. 5	ECS - Bank Stabilization (Riprap) for 51 linear feet of the shoreline	12/08/2022
4.	Marshall, Bonnie	14 Mallard Beach	Permit to Operate – Vacation Rental	01/04/2023 \$250.00
Permits to Construct Approved by Land Administration Department 1/30/2023 – Jeffrey Lake				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
5.	Canfield, Jeffrey & Sara	91 Pelican Dr	ECS ATF - Installed 31'L x 14"T retaining wall & Step	12/08/2022 \$100.00
6.	Canfield, Jeffrey & Sara	91 Pelican Dr	ECS - Replace poured concrete pad with sod top layer	12/09/2022
Permits to Construct Approved by Land Administration Department 1/30/2023 – Lake McConaughy				
<u>Number</u>	<u>Name</u>	<u>Description</u>	<u>Permit & Purpose</u>	<u>Date Approved & Fee</u>
7.	Anderson, Lane & Kerri	14 K-3 Rd	DWEL ATF - Placement of corn crib utilized as a covered patio area	12/20/2022 \$500.00

WATER SERVICE AGREEMENTS: Dusty Way presented the following:

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<u>Water Service Agreements:</u>					
E65	7211305 (1)	W1/2SW1/4 13-7-21	Quattro Farms, LLC	0	+66
		<i>*New Account</i>			
E65	7190802 (1)	SW1/4 8-7-19	Roger T. & Tama L. Sundquist	130	-47
		<i>*Transfer Acres to 7190903</i>			

E65 7190903 (1) W1/2SE1/4, Roger T. & Tama L. Sundquist 69 +47
W1/2NE1/4SE1/4,
W1/2SE1/4SE1/4 9-7-19

**Transfer Acres from 7190802*

- (1) IPP Amendment to Water Service Agreement for the 2023 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2023 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2022, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2022.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

2023 BUDGET AMENDMENT: The following budget amendment was presented that corresponds with Work Order No. 186583 in the next agenda item:

Hydro Division	Current Budget	Proposed Budget	Difference
<u>Irrigation Capital Budget</u>			
Chemical Trailer	\$20,000	\$24,000	\$4,000

WORK ORDER/PURCHASE REQUISITION SUMMARY: The following were presented:

- a. Work Order No. 186583 – Enclosed Chemical Trailer (\$23,917.00)
- b. Purchase Requisition No. 16175 – Husker Steel – Steel Piling (\$68,789.00)
- c. Purchase Requisition No. 16235 – Ace Irrigation & Mfg Co. – Inventory Order for HP Pipe, Pumpsites and Elbows (\$102,828.00)

2023 CHEMICALS: Duane Cernousek presented the bid tab from the sole bidder, Van Diest Supply Co., in the amount of \$279,886.90 and the associated Purchase Requisition No. 16263 in that same amount.

LAND AND RECREATION COMMITTEE (1/26/23):

- a. Johnson Lake Subleasing Policy Review: The subcommittee voted to recommend Board approval of the Johnson Lake Vacation Rental Permit as presented and the following Johnson Lake Subleasing Policy:
 1. Subleasing at Johnson Lake shall be authorized through a Permit to Sublease.
 2. Central staff has the authority to approve a Permit to Sublease on a case-by-case basis, taking into account neighbor approval.
 3. Each Permit to Sublease shall be for a term of one year and include an annual renewal fee of \$500.00.
 4. The Permit to Sublease shall incorporate strict rules with the ability to terminate the permit immediately at Central staff's discretion.
- b. Johnson Lake Airport Lease Agreement Renewal: The subcommittee voted to recommend Board approval of the Johnson Lake Airport Lease Agreement with Werth Aerial Spraying, L.L.C. for a term of 5 years with a fee schedule beginning at \$3,635 for the first term and increasing by a compounding 3% inflator for each subsequent term.
- c. Agricultural Lease Renewal – Gosper County – E-65 Main Canal: The subcommittee voted to recommend Board approval of the Agricultural Lease Renewal with Beck Family Partnership, LTD for a 10-year term at a rental rate of \$238.00 per year.
- d. Application for Variance – 31 Mallard Cove, Johnson Lake: The subcommittee voted to recommend Board denial of the variance for the after-the-fact violation of constructing

a concrete driveway over a survey pin at 31 Mallard Cove, Johnson Lake.

- e. Johnson Lake and Plum Creek Area Association – Exhibit B Agreement Renewals: The subcommittee voted to recommend Board approval of a new 10-year term Exhibit B Agreements with applicable Johnson Lake and Plum Creek Area Associations.

INTEGRATION: Devin Brundage announced the hearing before the Power Review Board is scheduled for February 15, 2023. A link to watch the hearing virtually will be sent to directors.

LEGISLATION: Alex Linden reported today is day 18 of the 90-day session and 820 bills have been introduced. Governor Pillen included the South Platte Canal project in his budget. He distributed the legislative watchlist and discussed the highlights of the bills he will monitor this session.

BOARD COMMENTS: Director Mueller reported on a contact from Elton Nolte about The Dunes at Lake McConaughy.

LEGAL UPDATE: Charles Brewster reported on recent depositions related to the Power Review Board hearing on February 15, 2023. He suggested entering into Closed Session to discuss another matter that involves other pending litigation.

Director Shepherd entered the meeting at 10:02 a.m.

NEBRASKA ETHANOL BOARD: Devin Brundage introduced Reid Wagner, Executive Director, and Scott McPheeters, Vice Chair, of the Nebraska Ethanol Board. Wagner presented a report by the UNL Department of Chemical and Biomolecular Engineering titled “Redefining Renewable Fuels.” He discussed the ethanol board’s effort to educate fuel retailers about using higher ethanol blends and tax credit incentives available to them, as well as the emerging importance of understanding the sources and carbon impact of water and energy resources in the ethanol industry.

A break was taken at 10:31 a.m. The meeting resumed at 10:45 a.m.

SOUTHERN PUBLIC POWER DISTRICT UPDATE – NEAL NIEDFELDT: Devin Brundage introduced Neal Niedfeldt, CEO, of Southern PPD. Niedfeldt presented an update on the recently installed wind turbines in Franklin County which are owned by Bluestem Energy Solutions on land belonging to David Nelson. The two wind turbines have a combined generation capacity of 5.64 megawatts.

PERSONNEL: An Employment Agreement for 2023 with Jeff Buettner was made available to the directors to review on the board website and will be placed on the Consent Agenda of the February 6, 2023 Regular Business Meeting.

OUT OF STATE TRAVEL: None.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

BOARD COMMITTEES – 2023: President Rowe will finalize the 2023 assignments and distribute a list to directors later this week.

BOARD SUB-COMMITTEE MEETINGS AND OTHER IMPORTANT UPCOMING EVENTS:

- a. Water Services Committee – February 1, 2023 at 10:00 a.m.

MANAGEMENT REPORTS:

- a. Tyler Thulin stated Lake McConaughy is at elevation 3,227.0, 815,000 acre-feet, and 46.9% capacity. Inflows to Lake McConaughy are unknown due to an iced-up gauge at Lewellen. Outflows are around 550 cfs. Snowpack in the North Platte basin is 135% of median and the South Platte basin is 114% of median.
- b. Cory Steinke reported there have been minimal icing issues along the Supply Canal. The remanufactured geotubes for the Mako project are being delivered soon and crews will start preparations to install them. The dredging permit for downstream pumping at the Diversion Dam is still in process.
- c. Scott Dicke attended the NARD conference last week where Governor Pillen spoke and expressed support for the South Platte Canal project. The Water Services Committee will meet on February 1, 2023 to review the Elwood Reservoir seepage repair bids along with several other items. Crews are preparing to receive excess flows and repairing road crossings. Rubicon is working on a proposal and estimate to install their automation system on the canals.
- d. Rochelle Jurgens indicated all W-2s and 1099s have been mailed out. The accounting department is working on year-end entries and preparing for the audit by BKD in February. She has been compiling documents and reports for legal counsel in preparation of the upcoming Power Review Board hearing.
- e. Eric Hixson reported on the progress of the exciter upgrades at Jeffrey, J-1 and J-2. A leak was discovered in the roof of the Jeffrey hydro so he is seeking bids for the repairs.
- f. Alex Linden reminded directors of the South Central Water Conference tomorrow at 10:00 a.m. at the Phelps County Ag Center. Keynote speakers are Director Tom Riley of NDNR and Devin Brundage. There will be other presentations on drones, pivots, and nitrates. He participated in a meeting with Dawson's public relations staff and the chosen consulting firm, Unanimous, last week. Attendance at the eagle viewing facilities has been very good. He reminded directors of Central's annual legislative reception on March 14, 2023 at The Cornhusker Hotel in Lincoln, Nebraska.
- g. Dusty Way reported on the Four States Irrigation Council's 69th Annual Meeting held earlier this month in Fort Collins, Colorado which several directors and staff members attended. The Four States summer tour in Wyoming will be held in August.
- h. Mike Drain has been working on various FERC reports and filings. He discussed a report by River Design Group dated January 2023 which was commissioned by a stakeholder group named Vision for an Ecologically Sound Platte River (VESPR) to investigate causes and potential solutions for the North Platte Chokepoint Reach. More discussions were held in Closed Session regarding potential litigation related to the report.

A break for lunch was taken at 11:49 a.m.

Director David Nelson left the meeting at 12:15 p.m.

The meeting resumed at 12:26 p.m.

At 12:26 PM it was moved by Director R. Olson and seconded by Director Mueller to enter into Closed Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent: David Nelson. None voted no and the motion was declared carried. The reason for entering Closed Session was to discuss the following agenda item: Management Reports and Legal Update. The purpose for entering into Closed Session for these topics was to discuss potential litigation and to receive legal advice.

C L O S E D S E S S I O N

At 1:12 PM it was moved by Director Dudley Nelson and seconded by Director Knoerzer to exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, Dudley Nelson, R. Olson, S. Olson, Rowe, Shepherd, and Soneson. Absent: David Nelson. None voted no and the motion was declared carried. President Rowe stated the discussion held in Closed Session was limited to the following agenda items: Management Reports and Legal Update.

The meeting adjourned at 1:12 p.m.

BOARD OF DIRECTORS
THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
HOLDREGE, NEBRASKA
FEBRUARY 6, 2023 – 9:00 A.M.

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A postcard was mailed to each Director on January 16, 2023 giving the time, date, and place of this meeting.

The following Directors were present:

Kyle Shepherd, Vice President	Geoffrey K. Bogle	David G. Nelson
William E. Knoerzer, Secretary	Tim Boyle	Dudley L. Nelson
K. Scott Olson, Treasurer	Robert B. Dahlgren	Roger D. Olson
	Martin E. Mueller	Brent Soneson

The following Director was absent: David L. Rowe

Also present were the following:

Devin M. Brundage, General Manager	Jeff Buettner, Public Relations Consultant
Eric R. Hixson, Electrical Project Ops. Mgr.	Alex Linden, Gov't & Public Relations Mgr.
Mike A. Drain, Nat. Resources & Compliance Mgr.	Dusty Way, Irrigation Operations Super.
Cory A. Steinke, Hydraulic Project Ops. Mgr.	Charles Brewster, Legal Counsel
Scott Dicke, Irrigation & Water Services Mgr.	Emily J. Anderson, Executive Assistant
Tyler Thulin, Civil Engineer	

Others:

Carson Messersmith	Curtis Scheele, NRCS
John Thorburn, Tri-Basin NRD	Larry Reynolds

* * * * *

Board Vice President Shepherd announced that information for the public concerning the Open Meetings Act was available for interested parties to view.

At 9:00 a.m. the Board Vice President Shepherd announced the meeting was open for business and proceeded with roll call.

PUBLIC INPUT: John Thorburn thanked staff for their help with The South Central Water Conference that was held on January 31, 2023. A video of the conference has been posted to Tri-Basin's website.

CONSENT AGENDA: Devin Brundage provided an overview of the items on the Consent Agenda which were presented and discussed at the January 30, 2023 Committee Meeting of the Board.

The Board Vice President asked the Directors if there were items they wished to remove from the Consent Agenda for individual discussion and voting. Hearing none, the following Consent

Agenda was presented:

- **Approval of Minutes of Regular Business Meeting of the Board of Directors held January 5, 2023**
- **Approval of Minutes of Committee Meeting of the Board of Directors held January 30, 2023**
- **Approval of the February Disbursements:**

Hydro Division:

Check #s 68977 through 69222 & 8900834 through 8900864 (Accounts Payable) \$2,049,765.47

Payroll \$268,859.69

Kingsley Division:

Check #s 3506 through 3513 (Accounts Payable) \$9,394.53

Glendo Division:

NONE NONE

- **Approval of the following 2023 Budget Amendment:**

Hydro Division	Current Budget	Proposed Budget	Difference
<u>Irrigation Capital Budget</u>			
Chemical Trailer	\$20,000	\$24,000	\$4,000

- **Approval of Work Order No. 186583 – Enclosed Chemical Trailer (\$23,917.00)**
- **Approval of Purchase Requisition No. 16175 – Husker Steel – Steel Piling (\$68,789.00)**
- **Approval of Purchase Requisition No. 16235 – Ace Irrigation & Mfg. Co – Inventory Order for HP Pipe, Pumpsites and Elbows (\$102,828.00)**
- **Approval of the bid from Van Diest Supply Co. for the 2023 Chemicals in the amount of \$279,886.90**
- **Approval of Purchase Requisition No. 16263 - Van Diest Supply Co. (\$279,886.90)**
- **Approval of the Johnson Lake Subleasing annual renewal fee of \$500.00**
- **Approval of the Johnson Lake Airport Lease Agreement with Werth Aerial Spraying, L.L.C. for a term of 5 years with a fee schedule beginning at \$3,635 for the first term and increasing by a compounding 3% inflator for each subsequent term**
- **Approval of the Agricultural Lease Renewal with Beck Family Partnership, LTD with a 10-year term at a rate of \$238.00 per year**
- **Denial of a Variance for the after-the-fact violation of constructing a concrete driveway over a survey pin at 31 Mallard Cove, Johnson Lake**
- **Approval of a new 10-year term Exhibit B Agreement with applicable Johnson Lake and Plum Creek Area Associations**
- **Approval of the 2023 Employment Agreement with Jeff Buettner**

It was moved by Director S. Olson and seconded by Director Knoerzer to approve the Consent Agenda as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent was: Rowe. None voted no and the motion was declared carried.

IRRIGATION WATER MANAGEMENT SPECIALIST REPORT – CURTIS SCHEELE, NRCS: Curtis Scheele from the NRCS presented his annual report on 2022 activities, including: Environmental

Quality Incentive Program (EQIP) contracts, Conservation Stewardship Program (CSP) contracts, the Nebraska Ag Water Management Network that provides producers with crop water use data, and the results of UNL’s Testing Ag Performance Solutions (UNL TAPS) plots. The NRCS also assisted landowners affected by the Gosper County wildfires with cover crop and deferred grazing programs.

WATER SERVICE AGREEMENTS: Dusty Way presented the following for approval:

<u>System</u>	<u>Acct. No.</u>	<u>Legal Desc.</u>	<u>Landowner</u>	<u>Contr. Acres</u>	<u>Total Acres Chg'd</u>
<u>Water Service Agreements:</u>					
E65	7211305 (1)	W1/2SW1/4 13-7-21 <i>*New Account</i>	Quattro Farms, LLC	0	+66
E65	7190802 (1)	SW1/4 8-7-19 <i>*Transfer Acres to 7190903</i>	Roger T. & Tama L. Sundquist	130	-47
E65	7190903 (1)	W1/2SE1/4, W1/2NE1/4SE1/4, W1/2SE1/4SE1/4 9-7-19 <i>*Transfer Acres from 7190802</i>	Roger T. & Tama L. Sundquist	69	+47
E65	6190404 (1)	S1/2N1/2SW1/4, S1/2SW1/4, and S1/2SE1/4 4-6-19 <i>*Add acres</i>	Meadowlark Lands OP I, LLC	110	+85
Phelps	7180904 (1)	NE1/4 9-7-18 <i>*Add Acres</i>	Cottonwood Creek Ag LTD	16	+2

- (1) IPP Amendment to Water Service Agreement for the 2023 irrigation season accompanies new WSA.
- (2) IPP Amendment to Water Service Agreement for the 2023 irrigation season to accompany existing WSA.
- (3) Water Service Agreement terminated after 2022, landowner came-back with new WSA.
- (4) Documents are currently being reviewed with landowners and/or are being signed by the landowners.
- (5) Water Service Agreement immediately terminated after 2022.
- (6) Water Service Agreement activation date being when CWS permit is issued by the NeDNR.

It was moved by Director R. Olson and seconded by Director Dudley Nelson to approve the Water Service Agreements as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent was: Rowe. None voted no and the motion was declared carried.

QUICK ATTACH BROOM SWEEP: Cory Steinke presented the following 2023 Budget Amendment for approval:

<u>Hydro Division</u>	<u>Current Budget</u>	<u>Proposed Budget</u>	<u>Difference</u>
<u>Supply Canal Capital Budget</u>			
Skid Steer Brush Attachment	\$5,000	\$8,100	\$3,100

He also presented the associated Work Order No. 107457 in the amount of \$8,100.00 for approval.

It was moved by Director Boyle and seconded by Director Mueller to approve the 2023 Budget Amendment with a net difference of \$3,100.00 and Work Order No. 107457 totaling \$8,100.00 as presented. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent was: Rowe. None voted no and the motion was declared carried.

Director Dahlgren exited the meeting room at 9:40 a.m.

MIDWEST ROW SERVICES: Scott Dicke presented a contract with Midwest Right of Way Services, Inc. for the acquisition of easements for the E-65 Siphon project.

It was moved by Director Dudley Nelson and seconded by Director Bogle to approve the Proposal from Midwest Right of Way Services, Inc. for the E-65 Siphon Project, subject to final legal review. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent were: Dahlgren and Rowe. None voted no and the motion was declared carried.

Director Dahlgren re-entered the meeting room at 9:45 a.m.

WATER SERVICES COMMITTEE (2/1/23): Director Knoerzer and Scott Dicke provided a summary of the discussions held at the recent subcommittee meeting. Dicke commented on his intent to make a bid recommendation for the Elwood Reservoir Seepage Repair Project at the February 24, 2023 Committee Meeting.

CHANGE LOCATION OF MARCH 6, 2023 REGULAR BUSINESS MEETING TO THE RODEWAY INN, HOLDREGE, NE: This item was deemed unnecessary.

LEGISLATION: Alex Linden reported the legislature is in recess today but they will resume hearings on proposed bills the rest of the week. He gave a brief update on the bills he continues to follow.

INTEGRATION: Devin Brundage reported on the continued preparations and depositions taken for the February 15, 2023 Power Review Board hearing.

WORKSHOPS, SEMINARS AND CONFERENCES: None.

PERSONNEL: None.

DIRECTORS' ATTENDANCE: **It was moved by Director R. Olson and seconded by Director Dahlgren to excuse the absence of Director Rowe from this meeting. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent was: Rowe. None voted no and the motion was declared carried.**

BOARD COMMENTS: Directors Shepherd and Mueller proposed holding an upcoming board meeting in Ogallala.

LEGAL UPDATE: Charles Brewster has been busy with the merger hearing preparation. He plans to pursue legal recourse resulting from a non-valid lease at Johnson Lake.

A break was taken at 10:02 a.m. The meeting resumed at 10:10 a.m.

MANAGEMENT REPORTS: The following management reports were presented:

- a. Eric Hixson reported the exciter upgrades at Jeffrey, J1 and J2 were completed last week. There may be some new regulations that will require the District to develop cold weather planning and reporting procedures.
- b. Jeff Buettner assisted Dawson PPD with their booth at the Buffalo Bill Farm & Ranch Expo last week. He had several conversations with irrigators and other individuals about the merger.
- c. Scott Dicke stated crews are busy repairing road crossing and riser cans, shaping laterals and canal banks, and removing trees.
- d. Dusty Way reported water scheduling begins February 13, 2023.
- e. Tyler Thulin reported Lake McConaughy is at elevation 3,227.2, 818,800 acre feet, and

47.1% capacity. The inflows to Lake McConaughy are approximately 800 cfs and releases are currently 2500 cfs. Snowpack in the North Platte basin is 134% of average and the South Platte basin is 101% of average.

- f. Cory Steinke plans to meet with the Glendo Canal companies on potential changes to their Water Service Agreements and a conjunctive management plan. The dredging permit for the Diversion Dam is under review by the U.S. Army Corps of Engineers.
- g. Mike Drain provided an update on the Kingsley Dam riprap repairs along with aerial photos showing movement in areas of the riprap.
- h. Devin Brundage attended NREA's annual meeting last week and presented to their managers about the merger. He also attended the State Chamber of Commerce's meeting and legislative policy session last week in Lincoln.

At 10:42 AM it was moved by Director S. Olson and seconded by Director R. Olson to enter into Closed Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent: Rowe. None voted no and the motion was declared carried. The reason for entering Closed Session was to discuss the following agenda item: Mike Drain - Management Report (related to potential litigation). The purpose for entering into Closed Session for this topic was to discuss potential litigation and to receive legal advice.

C L O S E D S E S S I O N

At 10:49 AM it was moved by Director Mueller and seconded by Director R. Olson to exit Closed Session and reconvene in Regular Session. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent: Rowe. None voted no and the motion was declared carried. Vice President Shepherd stated the discussion held in Closed Session was limited to the following agenda items: Management Report and Legal Update.

ADJOURNMENT: It was moved by Director R. Olson and seconded by Director Dahlgren to adjourn the Regular Business Meeting of the Board at 10:51 AM. Upon voting on the motion, the following Directors voted therefore: Bogle, Boyle, Dahlgren, Knoerzer, Mueller, David Nelson, Dudley Nelson, R. Olson, S. Olson, Shepherd, and Soneson. Absent: Rowe. None voted no and the motion was declared carried.

ATTEST:	THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
_____ William E. Knoerzer, Secretary	By _____ David L. Rowe, President