

**Platte Basin Coalition Committee
Meeting Minutes**

October 6, 2014, 2:00 p.m. Central Time
Twin Platte NRD Office, North Platte, NE

Call to order and attendance: Miller called the meeting to order at 2:00 p.m., Central Time. Sponsors and partners in attendance (Attachment A) were:

| | | | |
|----------------------|-------|----------------|-------|
| Mark Czaplewski | CPNRD | Jessie Wietjes | NDNR |
| Jesse Mintken | CPNRD | John Berge | NPNRD |
| Lyndon Vogt | CPNRD | Rod Horn | SPNRD |
| Duane Woodward | CPNRD | Ryan Reisdorff | SPNRD |
| Melissa Mosier | NDNR | John Thorburn | TBNRD |
| Jennifer Schellpeper | NDNR | Kent Miller | TPNRD |
| Kayla Sharp | NDNR | | |

Guests in attendance:

| | | | |
|-------------|------|-----------------|-------|
| Jeff Shafer | NPPD | Butch Koehlmoos | LLNRD |
|-------------|------|-----------------|-------|

1. **Welcome and Open Meetings Act:** Miller noted that a copy of the Open Meetings Act was available in the meeting room.
2. **Publication of Meeting Notices:** The NDNR published a public notice (Attachment B) of the PBC meeting in the Grand Island Independent on October 1, 2014, the North Platte Telegraph on September 30, 2014, and the Scottsbluff Star Herald on September 30, 2014.
3. **Agenda Modifications:** No revisions were made to the agenda (Attachment C).
4. **Approval of August 5, 2014, PBC meeting minutes:**

Motion: To approve the August 5, 2014, PBC meeting minutes (Attachment D).

Horn motioned to approve. Berge seconded. Motion passed with all eyes.

5. **Budget Update**

- A. **Operations:** Schellpeper discussed the updated PBC budget sheet (Attachment E). The Operations tab of the budget summary has not been updated since the last meeting. The Studies portion of the budget summary now includes summaries for each project. The Phase I Conservation Practices Study has been paid (\$70,160). The Post-1997 Study has been budgeted for (\$45,000) with all funds from this project coming from the NDNR. The OA/FA budget has been committed \$225,000 and the current estimates for this work total \$222,000. There

are not yet budget estimates for the Robust Review or Conservation Study Phase II work.

The **years 1-3 project budget** tab now includes a summary of the original budget and the amendments that have been made to it, resulting in a total budget of \$24,088,211.34. This sheet also breaks down the cost of each project by NRD and the specific amendments that were made to the project budgets. Due to an accounting error on the North Dry Creek project funds, more funds than were necessary were allocated for the spring 2014 groundwater recharge project. These funds are now available for budget years 1-3.

Motion: Any PBC funds that remain unallocated at the end of budget year three should be made available for use on the N-CORPE project.

Thorburn motioned to approve. Vogt seconded. The motion passed with all ayes.

Action: NDNR will update the PBC budget summary to reflect the changes contained in the motion to move unallocated funds to the N-CORPE project.

The **years 4-6 project budget** tab lists the four projects for which commitments have been made and the meetings at which those commitments were made through motions. In all, \$10 million of the total \$18 million budget has been committed.

The PBC budget summary now includes separate tables for the J-2 project, Orchard-Alfalfa canal, Cozad canal, Thirty Mile Canal, and N-CORPE projects. Due to a \$6,000 correction payment made by NDNR for the first J-2 project payment, the group will have to decide what action needs to be taken in order to bring the NDNR/NRD required contribution percentages back into balance.

Thorburn asked who a request for reimbursement would be addressed to for the North Dry Creek project. Schellpeper told Thorburn that she would review the North Dry Creek contract in order to determine who the contract manager is and then let Thorburn know.

Action: Schellpeper will review the North Dry Creek contract in order to determine who the contract manager is and whether or not the contract needs to be modified to cover phase II of the project's costs.

B. Studies

- i. Conservation Measures Study:** The scope of work for this project is just about finished and budget estimates are being developed. Further action will likely be possible via conference call before the December 1, 2014, PBC meeting. If a conference call is needed, a public notice will be posted with the NRD and NDNR office locations listed so that the public may attend.

- ii. Difference Between Current and Fully Appropriated Study:** The scope of work (Attachment F) is complete and budget estimates have been received from ARI (Attachment G) and HDR (Attachment H), bringing the estimated cost of the study to \$222,000. A contract between PBC and CPNRD (Attachment I) has been drafted for the project and distributed to the group. The contract states that the POAC Technical Committee will have oversight of the project. The payment procedure would involve reimbursements from members of PBC made to CPNRD for the NRD portion (\$36,000). Schellpeper noted that the payments section of the contract would be modified to indicate that contractor invoices will be reviewed by the administrators and authorized via email on a monthly basis. Actions on project finances and changes to the scope of work will only take place during scheduled PBC meetings, either in person or via conference call.

Motion: To approve the Difference Between Current and Fully Appropriated Study scope of work and agreement contract with the modifications discussed.

Berge motioned to approve. Thorburn seconded. The motion passed with all ayes.

Action: DNR and CPNRD will finalize the modified contract and forward it to the PBC Chair for signature.

- C. Second three-year increment funding:** The second three-year increment funding discussion was covered under agenda item 5.A. Czaplewski asked if the PBC's NET application for the second three-year increment would receive 50 bonus points and Schellpeper and Miller responded that they both believed that it would.

6. Project Updates

- A. N-CORPE:** The well field has been completed and pumping to the Republican River side of the project is ongoing. The north pipeline will be built in 2015 and pumping to the Platte River should begin in 2015 or 2016. State revolving funds are currently being sought for the project. Replanting the project area to native

grass is also ongoing. N-CORPE sponsors will be receiving proposals from the Nebraska Game & Parks Commission on opportunities for habitat, public access, and possibly a staff person on the project land.

- B. Orchard Alfalfa:** Mintken reported that all of the structures have been constructed and the project should be completed by spring 2015.
- C. J-2 Regulating Reservoir:** Schellpeper discussed the J-2 quarterly report (Attachment J) that was handed out prior to the meeting. An annual report (Attachment K) was also distributed which includes dollar amounts that have been spent from July 2013 to June 2014. The Nebraska Community Foundation's Consolidated Financial Statements and Reports of Independent Certified Public Accountants, June 30, 2014 and 2013, report (Attachment L) was also distributed. A drafted letter (Attachment M) to the Nebraska Community Foundation (NCF) was presented which described the process by which the group would like to be invoiced for the second payment. If the group decides to move the payment to the NCF now there is an option for investment during the time that the funds remain there.

Action: Schellpeper will adjust the payment obligations of CPNRD, TBNRD, and TPNRD listed in the draft letter to the NCF in order to make up for the NDNR's correction payment of approximately \$6,000 (see agenda item 5.A.).

- Schellpeper will also add an attachment that lists each NRD's first, second, and estimated third payments for this project. She will send the new estimates out to the members.
- Schellpeper will also send out information on where the funds can be invested while they are housed at the NCF.

- D. North Platte NRD Lease:** Berge reported that stakeholder meetings have been held and more are scheduled over the next few weeks. NPNRD is working on responding to a few questions that NDNR had on the permitting for the project. Cost estimates are being finalized for the building of the pit. A public hearing will be held and public testimony will be responded to before construction begins.
- E. Tri-Basin Phase II Augmentation:** Thorburn reported that the second well has been installed but has not been tested yet. TBNRD hopes to get the opportunity to test the well this fall.

- 7. Public Comments:** Leon "Butch" Koehlmoos of the Lower Loup NRD noted that the Lower Platte River Basin is in the planning stages of its basin-wide plan and that he'd

like to keep the lines of communication open between the Lower and Upper Platte River representatives.

8. Adjourn: The PBC meeting adjourned at 2:53 p.m. Central Time.

The next PBC meetings are set for the following dates and will be held at 1:30 p.m., Central Time at the TPNRD offices:

December 1, 2014

February 2, 2015

April 7, 2015

June 18, 2015 (*at 2:30 p.m.*)

August 6, 2015

October 6, 2015

December 7, 2015

Action Item Summary:

- 1) NDNR will update the PBC budget summary to reflect the changes contained in the motion to move years 1-3 unallocated funds to the N-CORPE project.
- 2) Schellpeper will review the North Dry Creek contract in order to determine who the contract manager is and whether or not the contract needs to be modified to cover phase II of the project's costs.
- 3) NDNR and CPNRD will finalize the modified OA/FA contract and forward it to the PBC Chair for signature.
- 4) Schellpeper will adjust the payment obligations of CPNRD, TBNRD, and TPNRD listed in the draft letter to the NCF in order to make up for the NDNR's correction payment of approximately \$6,000 (see agenda item 5.A.).
 - a. Schellpeper will also add an attachment that lists each involved NRD's first, second, and estimated third payments for this project. She will send the new estimates out to the members.
 - b. Schellpeper will also send out information on where the funds can be invested while they are housed at the NCF.

Attendees
October 6, 2014
PBHEP

| <u>Name</u> | <u>Representing</u> | <u>email</u> |
|---------------------|---------------------|-----------------------------|
| Mark Czaplowski | CPNRD | mark@cpnrd.org |
| John Thornburn | Tri-Basin NRD | jthornburn@tribasinnrd.org |
| ROD L THORN | SPNRD | rthorn@spnrd.org |
| John Berge | NPNRD | jberge@npsnrd.org |
| Duane Woodward | CPNRD | woodward@cpnrd.org |
| Lyndon Vogt | CPNRD | vogt@spnrd.org |
| Jennifer Schellgeer | NDNR | |
| MELISSA M MOYER | NDNR | melissa.mosier@nebraska.gov |
| Jesse Markien | CPNRD | markien@cpnrd.org |
| Ryan Resdorff | SPNRD | resdorff@spnrd.org |
| T.J. Walker | NGPC | thomas.walker@nebraska.gov |
| Jeff Shafer | NPPD | jtshafe@nppd.com |
| Kayla Sharp | NDNR | kayla.sharp@nebraska.gov |
| Jessie Wietjes | NDNR | jessie.wietjes@nebraska.gov |
| Kent Miller | TPNRD | |

**PUBLIC NOTICE
MEETING
OF THE PLATTE BASIN COALITION**

The Central Platte Natural Resources District, North Platte Natural Resources District, South Platte Natural Resources District, Tri-Basin Natural Resources District, Twin Platte Natural Resources District (collectively, the Platte Basin NRDs), and the Nebraska Department of Natural Resources (Department) hereby provide notice that a public meeting of the Platte Basin Coalition will be held on Monday, October 6th, 2014, at 2:00 p.m. Central Time, at the Twin Platte Natural Resources District office, 111 South Dewey Street, North Platte, Nebraska.

The Platte Basin Coalition purpose is to create a cooperative body to assist the Platte Basin NRDs and the Department with resource management and efficient implementation of the basin-wide management plan and the individual integrated management plans for the overappropriated area of the Platte River Basin.

An agenda of the meeting is available for public inspection during normal business hours at the offices of the Platte Basin NRDs and the Department and at the following website: www.dnr.nebraska.gov. Please refer to the websites and phone numbers listed below for further information.

CPNRD: <http://www.cpnrd.org> or phone (308) 385-6282

NPNRD: <http://www.npnrd.org> or phone (308) 632-2749

SPNRD: <http://www.spnrd.org> or phone (308) 254-2377

TBNRD: <http://www.tribasinprd.org> or phone (308) 995-6688

TPNRD: <http://www.tpnrd.org> or phone (308) 535-8080

Department: <http://www.dnr.nebraska.gov> or phone (402) 471-2363

Individuals with disabilities may request auxiliary aids and services necessary for participation by contacting Melissa Mosier at the Nebraska Department of Natural Resources, 301 Centennial Mall South, PO Box 94676, Lincoln, NE 68509-4676, telephone (402) 471-3948 or e-mail melissa.mosier@nebraska.gov.

Agenda

Platte Basin Coalition Committee Meeting

October 6th, 2014, 2:00 p.m. Central Time
Twin Platte NRD Office, North Platte, NE

1. Welcome and Open Meetings Act
2. Publication of Meeting Notices
3. Agenda Modifications
4. Approval of August 5th, 2014, PBC Meeting Minutes
5. Budget Update
 - A. Operations
 - B. Studies
 - i. Conservation Measures Study
 - a. Budgeting and contracting discussion (DNR)
 - ii. Difference Between Current and Fully Appropriated Study
 - a. Contracting discussion (DNR & CPNRD)
 - C. Second three-year increment funding
6. Project Updates
 - A. N-CORPE (TPNRD)
 - B. Orchard Alfalfa (CPNRD)
 - C. J-2 Regulating Reservoir (DNR)
 - D. North Platte NRD Lease (NPNRD)
 - E. Tri-Basin Phase II Augmentation (TBNRD)
7. Public Comments
8. Adjourn

Next meeting is scheduled for:
December 1st, 2014, at 10:30 a.m. CT (TPNRD)

Platte Basin Coalition Committee Meeting Minutes

August 5, 2014, 2:00 p.m. Central Time
Twin Platte NRD Office, North Platte, NE

Call to order and attendance: Miller called the meeting to order at 2:00 p.m., Central Time. Sponsors and partners in attendance (Attachment A) were:

| | | | |
|----------------------|-------|----------------|-------|
| Mark Czaplewski | CPNRD | John Berge | NPNRD |
| Jesse Mintken | CPNRD | Tina Kurtz | NPNRD |
| Lyndon Vogt | CPNRD | Rod Horn | SPNRD |
| Duane Woodward | CPNRD | Ryan Reisdorff | SPNRD |
| Melissa Mosier | NDNR | John Thorburn | TBNRD |
| Jennifer Schellpeper | NDNR | Kent Miller | TPNRD |

Guests in attendance:

| | | | |
|-------------|------|-------------|-------|
| Jeff Shafer | NPPD | Jerry Kenny | PRRIP |
|-------------|------|-------------|-------|

- 1. Welcome and Open Meetings Act:** Miller noted that a copy of the Open Meetings Act was available in the meeting room.
- 2. Publication of Meeting Notices:** The NDNR published a public notice of the PBC meeting in the Grand Island Independent on July 29, 2014, the North Platte Telegraph on July 29, 2014, and the Scottsbluff Star Herald on July 27, 2014.
- 3. Agenda Modifications:** No revisions were made to the agenda (Attachment B).
- 4. Approval of June 2, 2014, PBC meeting minutes:**

Motion: To approve the June 2, 2014, PBC meeting minutes (Attachment C).

Berge motioned to approve. Vogt seconded. Motion passed with ayes from Vogt, Berge, Thorburn, Miller, and Schellpeper, and an abstention from Horn.

5. Budget Update

A. Operations: Schellpeper discussed the updated PBC budget sheet (Attachment D). More detail by invoice has been added to the funding summary for the Orchard Alfalfa and N-CORPE projects.

B. Studies:

(1) Budgeting and contracting discussion: A discussion was held on contracting and funding for the work on the Difference Between Current and

Fully Appropriated Levels of Development study. The ILCA will be reviewed to ensure that the contracting can go through CPNRD to PBC, and then through PBC to the contracting firms. CPNRD and NDNR will bring a draft agreement on the contracting to the October 6, 2014, PBC meeting. It was proposed that the funding for the study be covered by a total of \$225,000, which includes \$180,000 in IWMPP funds (80%) and a \$45,000 NRD match (20%).

Motion: The CPNRD, NPNRD, SPNRD, TBNRD, and TPNRD, will share equally the local \$45,000 match, not to exceed \$9,000.

Vogt motioned to approve. Berge seconded. Motion passed with all ayes.

Action: CPNRD and NDNR will review the ILCA and bring a draft agreement on the contracting for the Difference Between Current and Fully Appropriated Levels of Development study to the October 6, 2014, PBC meeting.

- C. Second three-year increment funding:** The draft NET application has been distributed to the members for review (Attachment E). The application is due on September 1, 2014. The group also discussed NET's request to display NET signage at NET funded project locations. Members can either use the standard NET signs or design their own signs that include the NET logo.

Action: The members will review the draft NET application and send any comments or revisions to the NDNR by mid-August 2014.

Czaplewski also discussed a handout that outlined the costs of the PBHEP and PBC canal rehabilitation projects and the budget shortfalls incurred (Attachment F).

Action: For the October 6, 2014, meeting, NDNR will prepare a spreadsheet that will show the current distribution plan for years 4-6 funds by NRD, as well as what funds have already been approved for spending. If possible, NDNR will send the spreadsheet out the members through email so that they have time to review before the October meeting.

- 6. Request to transfer funds from conservation easement package (CPNRD):** In 2013, CPNRD submitted a request for funding to the NDNR in the amount of \$1,855,909 for a conservation easement package. After review of the easements, CPNRD and NDNR negotiated a discounted value on some of the surface water easements, leaving a total \$118,682.72 that could not be used for this project. CPNRD would like to use this money to cover a portion of the budget shortfall incurred by the canal rehabilitation projects.

Motion: To approve the transfer of \$118,682.72, that had been approved for the CPNRD conservation easement package, to cover a portion of the costs for the Thirty Mile and Orchard Alfalfa canal rehabilitation projects.

Berge motioned to approve. Horn seconded. The motion passed with all ayes.

7. Project Updates

- A. **N-CORPE:** Construction on the south pipeline has been completed and water began flowing through it at the beginning of 2014. Construction on the north pipeline is scheduled to begin in the summer of 2015. Cover crops are now on almost all of the acres. Some corn and potato crops remain on a few acres in order to allow the contract for those crops to be fulfilled. TPNRD is working on purchasing the native grass seed needed to cover the project acres. Some of the center pivots have been sold and the remaining will be sold in the near future. TPNRD has met with landowners on obtaining easements and has entered into an agreement with Lincoln County to utilize the roadway for construction of the portion of the pipeline that runs parallel to it. An operational regional model will hopefully be in place in the next six months.
- B. **Orchard Alfalfa:** Mintken reported that because it is currently the irrigation season, there is no construction taking place. Once work resumes at the end of the irrigation season, the project should be finished by last 2014 or early 2015.
- C. **J-2 Regulating Reservoir:** Schellpeper discussed a few highlights from the J-2 quarterly report (Attachment G). Land purchasing activities are moving forward. A Joint Interagency Meeting was held on July 1, 2014, and was attended by a number of landowners. Access agreements are being worked out with some landowners so that technical exploration can occur after harvest. The water rights petition has been filed with the NDNR. The next quarterly report and an annual report will be out in September 2014.
- D. **North Platte NRD Lease:** Berge reported that the formal permitting application will be going to the NDNR soon and stakeholder meetings will be held in the next couple of weeks.
- E. **Tri-Basin Phase II Augmentation:** The observation well for the second augmentation well was drilled in July 2014 and the augmentation well itself will be drilled in August 2014. A nearby landowner agreed to sign-off on the infringement of spacing requirements that this new well posed.
- F. **Spring 2014 Excess Flows:** Schellpeper summarized a memo from the TBNRD, TPNRD, and the NDNR to the PBC members in regard to the 2014 excess flow and groundwater recharge projects funding (Attachment H). The projects occurred

in cooperation with Western Irrigation District and CNPPID. Horn distributed a news article about the recharge projects that was published in the North Platte Telegraph (Attachment I). Approximately 13,677 AF of water was diverted for a total cost of \$526,743. The request is to amend the PBC budget in order to cover the cost of the projects.

Motion: The Platte Basin Coalition supports the spring of 2014 groundwater recharge and flood mitigation project and agrees to commit funds of \$526,743 to the project. Calculations of recharged project water and calculations/modeling of accretions to the Platte River will be performed by the Plate Overappropriated Area Committee.

Schelleper motioned to approve. Thorburn seconded. The motion passed with all ayes.

8. **Public Comments:** There were no public comments.
9. **Adjourn:** The PBC meeting adjourned at 3:21 p.m. Central Time.

The next PBC meeting dates have been set for October 6, 2014, and December 1, 2014, at 2:00 p.m., Central Time at the TPNRD offices.

Action: Future meetings will be scheduled at the October 6, 2014, meeting.

Action Item Summary:

- 1) CPNRD and NDNR will review the ILCA and bring a draft agreement on the contracting for the Difference Between Current and Fully Appropriated Levels of Development study to the October 6, 2014, PBC meeting.
- 2) The members will review the draft NET application and send any comments or revisions to the NDNR by mid-August 2014.
- 3) For the October 6, 2014, meeting, NDNR will prepare a spreadsheet that will show the current distribution plan for years 4-6 funds by NRD, as well as what funds have already been approved for spending. If possible, NDNR will send the spreadsheet out the members through email so that they have time to review before the October meeting.
- 4) Future meetings will be scheduled at the October 6, 2014, meeting.

PBC Funding Summary Updated 5/5/2014

| PBHEP Budget Summary | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | NDNR | Total by Year |
|-----------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------|
| Budget Year 1 | \$ 503.33 | \$ 503.33 | \$ 503.33 | \$ 503.33 | \$ 503.34 | \$ 503.34 | \$ 3,020.00 |
| Budget Year 2 | \$ 535.85 | \$ 535.85 | \$ 535.85 | \$ 535.85 | \$ 535.85 | \$ 535.85 | \$ 3,215.10 |
| Budget Year 3 | | | | | | | |
| Total 3 Year Budget | \$ 1,039.18 | \$ 1,039.18 | \$ 1,039.18 | \$ 1,039.18 | \$ 1,039.19 | \$ 1,039.19 | \$ 6,235.10 |

PBC Budget Review and Amendments for Discussion

Updated 10/6/2014

October 2014 Budget

| PBC Budget Summary | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | Total NRD | DNR (NET Transfer) | DNR General Fund | Total by Year |
|--|----------------------|------------------------|----------------------|------------------------|------------------------|------------------------|------------------------|------------------------|-------------------------|
| Budget Year 1 | \$ 301,400.00 | \$ 708,400.00 | \$ 61,600.00 | \$ 444,400.00 | \$ 684,200.00 | \$ 2,200,000.00 | \$ 3,300,000.00 | \$ 2,200,000.00 | \$ 7,700,000.00 |
| Budget Year 2 | \$ 301,400.00 | \$ 708,400.00 | \$ 61,600.00 | \$ 444,400.00 | \$ 684,200.00 | \$ 2,200,000.00 | \$ 3,300,000.00 | \$ 2,200,000.00 | \$ 7,700,000.00 |
| Budget Year 3 | \$ 301,400.00 | \$ 708,400.00 | \$ 61,600.00 | \$ 444,400.00 | \$ 684,200.00 | \$ 2,200,000.00 | \$ 3,300,000.00 | \$ 2,200,000.00 | \$ 7,700,000.00 |
| Total 3 Year Budget | \$ 904,200.00 | \$ 2,125,200.00 | \$ 184,800.00 | \$ 1,333,200.00 | \$ 2,052,600.00 | \$ 6,600,000.00 | \$ 9,900,000.00 | \$ 6,600,000.00 | \$ 23,100,000.00 |
| Amendment 1 Total (Dec-13) [NPNRD lease & Easement] | | \$ 121,788.00 | | | | \$ 121,788.00 | | \$ 9,432.00 | \$ 131,220.00 |
| Amendment 2 Total (Dec-13) [fall 2013 gw recharge] | \$ 6,000.00 | | \$ 2,970.00 | \$ 112,199.34 | \$ 10,930.00 | \$ 132,099.34 | | \$ 198,149.00 | \$ 330,248.34 |
| Amendment 3 Total (Aug-14) [spring 2014 gw recharge] | | | \$ 600.00 | \$ 258,121.50 | \$ 3,600.00 | \$ 262,321.50 | \$ - | \$ 264,421.50 | \$ 526,743.00 |
| Total Amendment Budget | \$ 6,000.00 | \$ 121,788.00 | \$ 3,570.00 | \$ 370,320.84 | \$ 14,530.00 | \$ 516,208.84 | \$ - | \$ 472,002.50 | \$ 988,211.34 |
| Total 3 Year Budget & Amendments | \$ 910,200.00 | \$ 2,246,988.00 | \$ 188,370.00 | \$ 1,703,520.84 | \$ 2,067,130.00 | \$ 7,116,208.84 | \$ 9,900,000.00 | \$ 7,072,002.50 | \$ 24,088,211.34 |

| PBC Budget Summary | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | Total NRD | DNR (NET Transfer) | DNR General Fund | Total by Year |
|-----------------------------|-----------------|---------------|-------------|-----------------|-----------------|-----------------|--------------------|------------------|------------------|
| Revised Budget Years 1 - 3* | \$ 3,782,442.00 | \$ 203,046.00 | \$ 3,570.00 | \$ 1,562,820.84 | \$ 1,549,330.00 | \$ 7,101,208.84 | \$ 9,900,000.00 | \$ 7,072,002.50 | \$ 24,050,711.34 |

| PBC Project | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | Total NRD | DNR (NET Transfer) | DNR General Fund | Total by Project | NDNR Amount Paid | Project Status |
|--|------------------------|----------------------|--------------------|------------------------|------------------------|------------------------|------------------------|------------------------|-------------------------|------------------|---|
| North Platte NRD Lease/Recharge | \$ - | \$ 196,758.00 | \$ - | \$ - | \$ - | \$ 196,758.00 | \$ 121,887.00 | \$ 173,250.00 | \$ 491,895.00 | | Waiting on Contract |
| Grandview Permanent Retirement | \$ - | \$ 6,288.00 | \$ - | \$ - | \$ - | \$ 6,288.00 | \$ - | \$ 9,432.00 | \$ 15,720.00 | | Waiting on Easement from NPNRD |
| Re-Use Pits Recharge Project Spring 2014 | \$ - | \$ - | \$ 600.00 | \$ - | \$ 3,600.00 | \$ 4,200.00 | \$ - | \$ 6,300.00 | \$ 10,500.00 | | to be submitted by TPNRD |
| Phase II North Dry Creek | \$ - | \$ - | \$ - | \$ 24,000.00 | \$ - | \$ 24,000.00 | \$ 36,000.00 | \$ - | \$ 60,000.00 | | Under Contract, no invoices or payments |
| J-2 Reregulating Reservoir | \$ 1,168,500.00 | \$ - | \$ - | \$ 1,168,500.00 | \$ 934,800.00 | \$ 3,271,800.00 | \$ 4,907,700.00 | \$ 6,426,750.00 | \$ 14,606,250.00 | \$3,860,890 | Partial Payment, under contract |
| Orchard-Alfalfa Canal Rehabilitation | \$ 1,665,578.40 | \$ - | \$ - | \$ - | \$ - | \$ 1,665,578.40 | \$ 2,498,367.60 | \$ - | \$ 4,163,946.00 | \$2,309,583 | Partial Payment, under contract |
| CPNRD conservation easement package* | \$ 623,681.20 | \$ - | \$ - | \$ - | \$ - | \$ 623,681.20 | \$ 935,521.80 | \$ - | \$ 1,559,203.00 | \$994,862 | Partial Payment, under contract |
| Thirty-Mile & Orchard Transfer from CPNRD easement package | \$ 118,682.40 | \$ - | \$ - | \$ - | \$ - | \$ 118,682.40 | \$ 178,023.60 | \$ - | \$ 296,706.00 | | |
| 2014 E65 Canal and Elwood Reservoir Recharge Project (spring 2014) | \$ - | \$ - | \$ - | \$ 258,121.50 | \$ - | \$ 258,121.50 | \$ - | \$ 258,121.50 | \$ 516,243.00 | \$252,121.50 | Paid - August 6, 2014 |
| N-CORPE | \$ - | \$ - | \$ - | \$ - | \$ 600,000.00 | \$ 600,000.00 | \$ 900,000.00 | \$ - | \$ 1,500,000.00 | \$900,000 | Paid - September 4, 2014 |
| Fall 2013 GW recharge | \$ 6,000.00 | \$ - | \$ 2,970.00 | \$ 112,199.34 | \$ 10,930.00 | \$ 132,099.34 | \$ - | \$ 198,149.00 | \$ 330,248.34 | \$198,149 | Paid - December 12, 2013 |
| Cozad & Thirty-Mile (PBHEP Overruns) | \$ 200,000.00 | \$ - | \$ - | \$ - | \$ - | \$ 200,000.00 | \$ 300,000.00 | \$ - | \$ 500,000.00 | \$300,000 | Paid - September 24, 2014 |
| Totals by Contributor | \$ 3,782,442.00 | \$ 203,046.00 | \$ 3,570.00 | \$ 1,562,820.84 | \$ 1,549,330.00 | \$ 7,101,208.84 | \$ 9,877,500.00 | \$ 7,072,002.50 | \$ 24,050,711.34 | | |

DNR Total

| | | | | | | | | | | | |
|---|-------------------|-----------------|---------------|-----------------|---------------|-----------------|--------------|-----------------|-----------------|--|--------------------------------------|
| Budget Difference from Original 3 year budget | \$ (2,878,242.00) | \$ 1,922,154.00 | \$ 181,230.00 | \$ (229,620.84) | \$ 503,270.00 | \$ (501,208.84) | \$ 22,500.00 | \$ (472,002.50) | \$ (950,711.34) | | |
| Budget Difference from Revised 3 year budget | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 15,000.00 | \$ 22,500.00 | \$ - | \$ 37,500.00 | | Due to adjustment of North Dry Creek |

| Specific Project Amendments | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | Total NRD | DNR (NET Transfer) | DNR General Fund | Total by Project |
|---|-----------------|-------|-------|-----------------|-----------------|-----------------|--------------------|------------------|------------------|
| J-2 Reservoir (original) | \$ 1,168,500.00 | | | \$ 1,168,500.00 | \$ 934,800.00 | \$ 3,271,800.00 | \$ 4,907,700.00 | \$ 6,426,750.00 | \$ 14,606,250.00 |
| J-2 Reservoir (revised; Aug-13) | \$ 1,571,662.00 | | | \$ 1,571,662.00 | \$ 1,257,328.00 | \$ 4,400,652.00 | \$ 7,125,086.16 | \$ 8,120,026.70 | \$ 19,645,764.86 |
| Phase II North Dry Creek (original) | | | | \$ 39,000.00 | | \$ 39,000.00 | \$ 58,500.00 | | \$ 97,500.00 |
| Phase II Augmentation North Dry Creek (revised; Apr-14) | | | | \$ 24,000.00 | | \$ 24,000.00 | \$ 36,000.00 | | \$ 60,000.00 |
| CPNRD Conservation Easement Package (original) | \$ 742,364.00 | | | | | \$ 742,364.00 | \$ 1,113,545.00 | | \$ 1,855,909.00 |
| CPNRD Conservation Easement Package (revised; Aug-14) | \$ 623,681.28 | | | | | \$ 623,681.28 | \$ 935,521.80 | | \$ 1,559,203.00 |

Additional funding committed in years 4-6

* CPNRD transferred money (\$118,683) from Conservation Easement Package to be used for the Orchard Alfalfa Canal Rehabilitation and the Thirty-Mile Canal Rehabilitation Projects

Updated 10/6/2014

| PBC Budget Summary | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | Total NRD | DNR (NET Transfer) | DNR General Fund | Total by Year |
|----------------------------|----------------------|------------------------|----------------------|------------------------|------------------------|------------------------|------------------------|------------------------|-------------------------|
| Budget Year 1 | \$ 301,400.00 | \$ 708,400.00 | \$ 61,600.00 | \$ 444,400.00 | \$ 684,200.00 | \$ 2,200,000.00 | \$ 3,300,000.00 | \$1,693,277 | \$ 9,393,276.70 |
| Budget Year 2 | \$ 301,400.00 | \$ 708,400.00 | \$ 61,600.00 | \$ 444,400.00 | \$ 684,200.00 | \$ 2,200,000.00 | \$ 3,300,000.00 | | 7,700,000.00 |
| Budget Year 3 | \$ 301,400.00 | \$ 708,400.00 | \$ 61,600.00 | \$ 444,400.00 | \$ 684,200.00 | \$ 2,200,000.00 | \$ 3,300,000.00 | | 7,700,000.00 |
| Total 3 Year Budget | \$ 904,200.00 | \$ 2,125,200.00 | \$ 184,800.00 | \$ 1,333,200.00 | \$ 2,052,600.00 | \$ 6,600,000.00 | \$ 9,900,000.00 | \$ 1,693,276.70 | \$ 18,193,276.70 |

| PBC Project | CPNRD | NPNRD | SPNRD | TBNRD | TPNRD | Total NRD | DNR (NET Transfer) | DNR General Fund | Total by Project | Meeting Motion Ref. | Project Status |
|--------------------------------------|----------------------|----------------------|-------------|----------------------|------------------------|------------------------|------------------------|------------------------|-------------------------|---------------------|-------------------------|
| North Platte NRD Lease/Recharge | | \$ 221,197.00 | | | | \$ 221,197.00 | \$ 331,795.50 | \$ - | \$ 552,992.50 | Jun 2013 pg 2 #7 C | Subject to availability |
| Orchard-Alfalfa Canal Rehabilitation | \$ 208,314.40 | | | | | \$ 208,314.40 | \$ 312,471.60 | \$ - | \$ 520,786.00 | Jun 2013 Pg 2 #7 B | Subject to availability |
| N-CORPE | | | | | \$ 1,730,071.10 | \$ 1,730,071.10 | \$ 2,595,106.66 | \$ - | \$ 4,325,177.76 | Aug 2013 pg 3 #8 B | Subject to availability |
| J-2 Reregulating Reservoir | \$ 403,161.12 | | | \$ 403,161.12 | \$ 322,528.90 | \$ 1,128,851.14 | \$ 2,217,386.16 | \$ 1,693,276.70 | \$ 5,039,514.00 | Aug 2013 Pg 3 #8 A | Subject to availability |
| Totals by Contributor | \$ 611,475.52 | \$ 221,197.00 | \$ - | \$ 403,161.12 | \$ 2,052,600.00 | \$ 3,288,433.64 | \$ 5,456,759.92 | \$ 1,693,276.70 | \$ 10,438,470.26 | | |

| | | | | | | | | | |
|--|---------------|-----------------|---------------|---------------|------|-----------------|-----------------|------|-----------------|
| Remaining Financial Commitments by Contributor | \$ 292,724.48 | \$ 1,904,003.00 | \$ 184,800.00 | \$ 930,038.88 | \$ - | \$ 3,311,566.36 | \$ 4,443,240.08 | \$ - | \$ 7,754,806.44 |
|--|---------------|-----------------|---------------|---------------|------|-----------------|-----------------|------|-----------------|

| Project: J-2 Contract # 574 | Not to Exceed | | Total Requested | | |
|--------------------------------|------------------|------------------|-----------------|------------------|------------------|
| | Contract total | WRCF | Total to Date | WRCF | Remaining WRCF |
| | \$ 19,645,764.00 | \$ 15,245,113.00 | \$ 3,860,889.59 | \$ 15,245,113.00 | \$ 11,384,223.41 |

| Contract Budget J-2 Project | DNR | CPNRD | TBNRD | TPNRD | Total | Status |
|---|-------------------------|------------------------|------------------------|----------------------|-------------------------|--------|
| Initial Payment (Anticipated due January 1, 2013) | \$ 4,607,500.00 | \$ 475,000.00 | \$ 475,000.00 | \$ 380,000.00 | \$ 5,937,500.00 | |
| Remaining Payment (Anticipated due June 30, 2013) | \$ 6,726,950.00 | \$ 693,500.00 | \$ 693,500.00 | \$ 554,800.00 | \$ 8,668,750.00 | |
| Total of Contract #574 | \$ 11,334,450.00 | \$ 1,168,500.00 | \$ 1,168,500.00 | \$ 934,800.00 | \$ 14,606,250.00 | |

| Contract Budget J-2 Project Amendment | DNR | CPNRD | TBNRD | TPNRD | Total | Status |
|--|-------------------------|------------------------|------------------------|------------------------|-------------------------|------------------------|
| Initial Payment (Prior to Sept 15th) | \$ 3,849,013.00 | \$ 396,806.00 | \$ 396,806.00 | \$ 317,444.00 | \$ 4,960,069.00 | Paid 8/28 & 10/10/2013 |
| Second Payment (Summer 2014) | \$ 5,698,050.00 | \$ 587,428.00 | \$ 587,428.00 | \$ 469,942.00 | \$ 7,342,848.00 | |
| Remaining Payment (Winter, 2015) | \$ 5,698,050.00 | \$ 587,428.00 | \$ 587,428.00 | \$ 469,942.00 | \$ 7,342,848.00 | |
| Total of Amendment 1 to contract #574 | \$ 15,245,113.00 | \$ 1,571,662.00 | \$ 1,571,662.00 | \$ 1,257,328.00 | \$ 19,645,765.00 | |

Payments

| | NDNR | Central Platte | Tri-Basin | Twin Platte | Total |
|---|------------------|-----------------|-----------------|---------------|------------------|
| Initial Estimate: | | | | | |
| Invoice: | \$ 3,773,542.50 | \$ 389,025.00 | \$ 389,025.00 | \$ 311,220.00 | \$ 4,862,812.50 |
| NCF Fee: | \$ 81,290.84 | \$ 8,380.50 | \$ 8,380.50 | \$ 6,704.40 | \$ 104,756.24 |
| Total: | \$ 3,854,833.34 | \$ 397,405.50 | \$ 397,405.50 | \$ 317,924.40 | \$ 4,967,568.74 |
| Correction: | | | | | |
| Invoice: | \$ 5,937.50 | \$ - | \$ - | \$ - | \$ - |
| NCF Fee: | \$ 118.75 | \$ - | \$ - | \$ - | \$ - |
| Total: | \$ 6,056.25 | \$ - | \$ - | \$ - | \$ - |
| First Payment Total: | \$ 3,860,889.59 | \$ 397,405.50 | \$ 397,405.50 | \$ 317,924.40 | \$ 4,973,624.99 |
| 2nd Payment according to contract amount: | | | | | |
| Invoice: | \$ 5,698,050.00 | \$ 587,428.00 | \$ 587,428.00 | \$ 469,942.00 | \$ 7,342,848.00 |
| NCF Fee: | \$ 115,235.87 | \$ 11,879.99 | \$ 11,879.99 | \$ 9,503.98 | \$ 148,499.83 |
| Total: | \$ 5,813,285.87 | \$ 599,307.99 | \$ 599,307.99 | \$ 479,445.98 | \$ 7,491,347.83 |
| Total First and Second Payments: | \$ 9,674,175.46 | \$ 996,713.49 | \$ 996,713.49 | \$ 797,370.38 | \$ 12,464,972.82 |
| Budget for PBC Budget Years 1-3 | \$ 11,334,450.00 | \$ 1,168,500.00 | \$ 1,168,500.00 | \$ 934,800.00 | \$ 14,606,250.00 |
| Difference | \$ 1,660,274.54 | \$ 171,786.51 | \$ 171,786.51 | \$ 137,429.62 | \$ 2,141,277.18 |

Updated 10/3/2014

| | | | | | |
|---------------------------------|-----------------------|-----------------|----------------------|------------------------|-----------------------|
| Project: Orchard-Alfalfa | Contract total | WRCF 60% | Total to Date | Total Requested | Remaining WRCF |
| | \$ 4,163,946.00 | \$ 2,498,367.60 | \$ 3,849,305.82 | WRCF \$ 2,309,583.47 | \$ 188,784.13 |

| Funds Expended and Reimbursements Requested for Orchard Alfalfa #615 | Orchard Alfalfa | | NET | Total | Status |
|--|------------------------|------------------------|-------------|------------------------|-----------------|
| | DNR | CPNRD | | | |
| July 2012 - September 2012 | \$ 18,443.83 | \$ 12,295.89 | | \$ 30,739.72 | Paid 9/6/2013 |
| October 2012 - December 2012 | \$ 40,364.18 | \$ 26,909.46 | | \$ 67,273.64 | Paid 9/6/2013 |
| January 2013 - March 2013 | \$ 20,888.25 | \$ 13,925.50 | | \$ 34,813.75 | Paid 9/6/2013 |
| April 2013 - June 2013 | \$ 40,965.19 | \$ 27,310.13 | | \$ 68,275.32 | Paid 9/6/2013 |
| July 2013 - September 2013 | \$ 81,196.28 | \$ 54,130.86 | | \$ 135,327.14 | Paid 11/18/2014 |
| October 2013 - December 2013 | \$ 380,533.05 | \$ 253,688.70 | | \$ 634,221.75 | Paid 2/24/2014 |
| January 2014 - March 2014 | \$ 815,793.13 | \$ 543,862.09 | | \$ 1,359,655.22 | Paid 5/14/2014 |
| April 2014 Timeframe | \$ 314,892.62 | \$ 209,928.42 | | \$ 524,821.04 | Paid 6/12/2014 |
| May 2014 Timeframe | \$ 224,966.11 | \$ 149,977.41 | | \$ 374,943.52 | Paid 9/24/2014 |
| June 2014 - July 2014 | \$ 371,540.83 | \$ 247,693.89 | | \$ 619,234.72 | Paid 9/24/2014 |
| Total reimbursement requested to date | \$ 2,309,583.47 | \$ 1,539,722.35 | \$ - | \$ 3,849,305.82 | |

| | | | |
|-------------------------|------------------------|--------------|-----------------------|
| Project: N-CORPE | Total Requested | | |
| | Contract total | WRCF | Remaining WRCF |
| | \$ 1,020,680 | \$ 1,020,680 | \$ - |

| Funds Expended and Reimbursements Requested for N-CORPE #778 | N-CORPE | | NET | Total | Status |
|--|------------------------|----------------------|---------------------|------------------------|---------------|
| | DNR | TPNRD | | | |
| TPNRD PBHEP funding N-CORPE project | \$ 120,680.00 | \$ 120,680.00 | \$ 60,340.00 | \$ 301,700.00 | Paid 9/3/2014 |
| TPNRD PBC funding N-CORPE project | \$ 900,000.00 | \$ 600,000.00 | | \$ 1,500,000.00 | Paid 9/4/2014 |
| Total reimbursement requested to date | \$ 1,020,680.00 | \$ 720,680.00 | \$ 60,340.00 | \$ 1,801,700.00 | |

Project: Cozad Canal

| | | | | |
|-----------------------|-----------------|----------------------|----------------------------|-----------------------|
| Contract total | WRCF 50% | Total to date | Requested from WRCF | Remaining WRCF |
| \$ 7,739,800.00 | \$ 3,869,900.00 | \$ 7,028,380.96 | \$ 2,664,521.68 | \$ 1,205,378.32 |

| Funds Expended and Reimbursements Requested for Cozad Canal - 592 | IWIP Reference # | Cozad DNR | CPNRD | NET | Total | Status |
|--|-------------------------|------------------------|------------------------|------------------------|------------------------|---------------------------------|
| 2011 - June 2012 | 7114 | \$ 266,372.15 | \$ 266,372.15 | \$ 133,186.08 | \$ 665,930.38 | Paid 4/10/2013 |
| July 2012 - Sep. 2012 | 7643 | \$ 83,685.72 | \$ 83,685.72 | \$ 41,842.86 | \$ 209,214.31 | Paid 4/10/2013 |
| Oct 1 - Dec 2012 | 9148 | \$ 161,582.77 | \$ 161,582.77 | \$ 80,791.38 | \$ 403,956.92 | Paid 4/10/2013 |
| Jan - Mar 2013 | 10811 | \$ 304,118.18 | \$ 304,118.18 | \$ 152,059.09 | \$ 760,295.45 | Paid 6/10/2013 |
| April - June 2013 | 11610 | \$ 290,764.02 | \$ 290,764.02 | \$ 145,382.01 | \$ 726,910.04 | Paid 8/15/2013 |
| July - Sep. 2013 | 12060 | \$ 149,221.36 | \$ 149,221.36 | \$ 74,610.68 | \$ 373,053.41 | Paid 11/18/2013 |
| Oct. - Dec 2013 | 12490 | \$ 311,092.25 | \$ 311,092.25 | \$ 155,546.13 | \$ 777,730.63 | Paid 2/24/2014 |
| Jan - Mar 2014 | 13032 | \$ 540,870.45 | \$ 540,870.45 | \$ 270,435.23 | \$ 1,352,176.13 | Paid 5/14/2014 |
| April - April 2014 | 13152 | \$ 207,820.94 | \$ 207,820.94 | \$ 103,910.47 | \$ 519,552.35 | Paid 6/12/2014 |
| May 2014 Timeframe | 13617 | \$ 288,662.41 | \$ 288,662.41 | \$ 144,331.20 | \$ 721,656.02 | Paid 9/24/2014 |
| May 2014 Timeframe | 13635 | \$ 192,701.37 | \$ 192,701.37 | \$ 96,350.68 | \$ 481,753.42 | Paid 9/24/2014 |
| June - July 2014 | 13636 | \$ 12,350.91 | \$ 14,460.76 | - | \$ 36,151.90 | Paid 9/24/2014 |
| Total reimbursement requested to date | | \$ 2,809,242.53 | \$ 2,811,352.38 | \$ 1,398,445.81 | \$ 7,028,380.96 | \$ 9,340.23 Unreimbursed amt |

Project: Thirty-Mile

| | | | | |
|-----------------------|-----------------|----------------------|----------------------------|------------------|
| Contract Total | WRCF | Total to date | Requested from WRCF | Remaining |
| \$ 5,053,982.01 | \$ 3,032,389.21 | \$ 4,511,245.19 | \$ 1,857,037.20 | \$ 1,175,352.00 |

| Funds Expended and Reimbursements Requested for Thirty-Mile - 616 | IWIP Reference # | Thirty-Mile DNR | CPNRD | NET | Total | Status |
|--|-------------------------|------------------------|------------------------|----------------------|------------------------|-----------------|
| 2011 - June 2012 | 7114 | \$ 14,277.00 | \$ 14,277.00 | \$ 7,138.50 | \$ 35,692.51 | Paid 9/6/2013 |
| July 2012 - Sep. 2012 | 7643 | \$ 94,147.09 | \$ 94,147.09 | \$ 47,073.55 | \$ 235,367.73 | Paid 9/6/2013 |
| Oct 1 - Dec 2012 | 9148 | \$ 96,813.90 | \$ 96,813.90 | \$ 48,406.95 | \$ 242,034.75 | Paid 9/6/2013 |
| Jan - Mar 2013 | 10811 | \$ 537,384.76 | \$ 537,384.76 | \$ 268,692.38 | \$ 1,343,461.90 | Paid 9/6/2013 |
| April - June 2013 | 11610 | \$ 331,217.05 | \$ 331,217.05 | \$ 165,608.52 | \$ 828,042.62 | Paid 9/6/2013 |
| July - Sep. 2013 | 12060 | \$ 89,685.20 | \$ 89,685.20 | \$ 44,842.60 | \$ 224,213.00 | Paid 11/15/2013 |
| Oct. - Dec 2013 | 12490 | \$ - | \$ - | \$ - | \$ - | - |
| Jan - Mar 2014 | 13032 | \$ 336,732.40 | \$ 336,732.40 | \$ 168,366.20 | \$ 841,831.01 | Paid 5/14/2014 |
| April - April 2014 | 13152 | \$ 199,162.41 | \$ 199,162.41 | \$ 99,581.20 | \$ 497,906.02 | Paid 6/12/2014 |
| May 2014 Timeframe | 13617 | \$ 143,707.53 | \$ 95,805.02 | | \$ 239,512.55 | Paid 9/24/2014 |
| June - July 2014 | 13636 | \$ 13,909.86 | \$ 9,273.24 | | \$ 23,183.10 | Paid 9/24/2014 |
| Total reimbursement requested to date | | \$ 1,857,037.21 | \$ 1,804,498.07 | \$ 849,709.91 | \$ 4,511,245.19 | |

PBHEP funds exhausted 9/24/2014

Difference between the Current and Fully Appropriated Levels of Development Draft Scope of Work

Cooperating Partners: Central Platte NRD, North Platte NRD, South Platte NRD, Tri-Basin NRD, Twin Platte NRD, and the State of Nebraska Department of Natural Resources (Department); working cooperatively under an interlocal agreement as the **Basin Coalition (PBC)**.

PROJECT PURPOSE

Provide professional services to assist in developing a methodology for evaluating the overall difference between the current and fully appropriated levels of development in the overappropriated portion of the Platte River Basin.

This study is being conducted to develop a method of analysis which will meet the requirements of Nebraska state statues, particularly §46-715 (5) (c), which states:

Any integrated management plan developed under this subsection shall identify the overall difference between the current and fully appropriated levels of development. Such determination shall take into account cyclical supply, including drought, identify the portion of the overall difference between the current and fully appropriated levels of development that is due to conservation measures, and identify the portions of the overall difference between the current and fully appropriated levels of development that are due to water use initiated prior to July 1, 1997, and to water use initiated on or after such date.

It is the desire of the cooperating partners to utilize the new methodology currently under development by the Department and that is consistent with the Department's current data structure featured on their INSIGHT website: <http://dnr.ne.gov/insight/>

The cooperating partners also desire a two phased approach for geographically summarizing the data.

PROJECT DETAILS:

Reporting Timeframes:

Results will be reported in monthly and annual time frames. Results will also be subdivided into two periods within the year: the peak demand season (June, July, and August) and the non-peak demand season (September through May). Accumulation and analysis of daily data is needed for multiple variables.

Period of Record:

The evaluation shall utilize the most recent period of record that represents naturally occurring wet/dry cycles in order to avoid bias between wet and dry periods and to accommodate non-stationarity in climate cycles. Suitability of the selected climatic

Difference between the Current and Fully Appropriated Levels of Development Draft Scope of Work

period will be evaluated by performing an autocovariance and Kendall Tau statistical analysis of the data. Assessing the period of record will be a task performed by Thad / HDR & Flatwater.

Geographic Area:

In Phase I of the project, the Platte basin above the confluence with the Loup River shall be divided into two sub-basins at the currently defined overappropriated area basin boundary (upstream of Kearney Canal diversion). The consultants, Thad Kuntz (Thad) and HDR Inc.(HDR)/The Flatwater Group (TFG), along with participating members of the PBC Technical Committee (TC) will develop a methodology to further separate the basin into smaller sub-areas based upon certain characteristics of the NRDs (e.g. geographic areas, etc.).

To create this methodology, Thad and HDR/TFG will create a list of options that will be evaluated using example calculations that will provide an example of each option. These options will be presented to the PBC TC for further discussion and refinement. Thad and HDR/TFG will modify the options based on the PBC TC refinement and then present the refined options to the PBC Administrators for their consideration. At this point, either a selection of an option or modification of an option or options can be completed by the PBC Administrators. If the PBC Administrators choose to modify the options then Thad and HDR/TFG will modify the options, present them to the PBC TC for discussion and refinement, and then present the modified and refined options to the PBC Administrators. Thad and HDR/TFG will provide a cost estimate that includes one complete process (initial list and evaluation, PBC TC refinement, PBC Administrators refinement, PBC TC refinement, and final options presentation to PBC Administrators) as described above.

In Phase II of the project, the methodology developed in Phase I to separate the basin into smaller NRD-based subareas will be implemented and completed by Thad and HDR/TFG.

Project Data and Documentation:

Based upon the project purpose, there are two water balance components which require the generation of data and assessment: 1) water supply, and 2) water demand. In addition, data, charts, and graphs are needed to describe the Nature and Extent of Water Use in the basin. Thad and HDR/TFG will provide thorough documentation of the data and analysis performed, including how each was created and/or calculated, and the end results of the Nature and Extent of Water Use. Details on the INSIGHT methodology can be found here: <http://dnr.ne.gov/Media/IWM/Statewide/INSIGHTMethodsCurrentVersion.pdf>

1) Water Supply:

a. Basin Water Supply

The summation of streamflow, surface water consumptive use, and groundwater depletions captures the total amount of hydrologically connected water available for use within a basin or subbasin. The streamflow water supply that is available is represented by these

Difference between the Current and Fully Appropriated Levels of Development Draft Scope of Work

three components plus “required inflow,” i.e., the amount of water that is necessary to flow out of basins or subbasins upstream of a given location.

- i. Surface Water Supply
 1. Streamflow data – capped and uncapped, reach gains, - **Thad, HDR /TFG**
Certain extreme flow events produce such vast quantities of water that some portion cannot be utilized or stored in either reservoirs or aquifer systems. Analyzing exceedance probabilities, which are based on flow probabilities, is a common method of determining the frequency of these types of events. Thus, for this evaluation the daily streamflow or reach-gain values with an exceedance probability of 5% or less were set to the value corresponding to the 5% exceedance probability¹.
 2. Surface Water Consumptive Use
There are four main use categories: irrigation, municipal, industrial, and evaporation from large water bodies
 - a. Direct Diverters/Pumpers with no Diversion Data – **DNR;**
 - i. DNR administration record
 - ii. NIR
 - iii. Acres
 - b. Irrigation Districts and Canal Companies with diversion, delivery and/or return data – **Thad, HDR /TFG**
 - i. Data for this component can be generated from the operation models created under WWUM & COHYST
 - c. Municipal – any surface water users?
 - d. Industrial – any surface water users?
 - e. Reservoir Evaporation on reservoirs greater than 32,000 AF in size – **Thad, HDR /TFG ;**
These evaporative losses are incorporated into calculated net evaporation values by accessing information on pan evaporation, surface area, and precipitation
- ii. GW Supply
Irrigation, municipal, and industrial groundwater withdrawals are the three main general use categories for consideration in the

¹ This reach-gain method can produce negative values (reach losses) that may propagate through the methodology; however, these occurrences are rare and have largely negligible effects. These effects shall be addressed.

Difference between the Current and Fully Appropriated Levels of Development Draft Scope of Work

groundwater depletion calculations. Groundwater depletions to streamflow are modeled values that consider the effects of groundwater-streamflow interactions.

1. GW Depletions, **DNR** has generated the data, but need it summarized at the hydropower points
 - iii. Required Inflow to the river reach below Kearney Canal (Upstream Supply) – **Thad, HDR/TFG**
Represents the portion of demand within that area that is reliant upon upstream sources for water supply.
- 2) Water Demand (Total Demand):
- There are six categories of water use: 1) consumptive water demands for surface water uses, 2) consumptive water demands for hydrologically connected high capacity groundwater well pumping, 3) streamflow demands for hydropower operations, 4) streamflow demands to meet instream flow demands, 5) net surface water loss, and 6) the downstream demands.
- a. SW Demand
 - i. Storage change – **Thad, HDR/TFG**
Surface water reservoirs are typically designed to capture streamflows during the non-peak season and make those flows available during the peak season. As such, an adjustment needs to be made to those surface water users that utilize large reservoirs for storing water in the non-peak season.
 - ii. Reservoir evaporation – same calculation as completed on the surface water supply side of the equation – **Thad, HDR/TFG**
 - iii. WWUM & CoHySt – the same calculation completed on the surface water supply side of the equation will be used, unless the full crop irrigation requirement is not met, then demand is the full corn irrigation requirement – **Thad, HDR/TFG**
 - iv. Small pumpers – same calculation as completed on the surface water supply side of the equation unless the full crop irrigation requirement is not met, then demand is the full crop irrigation requirement – **DNR**
 - b. GW Demand – **Thad, HDR/TFG**
These wells generally included irrigation wells, municipal wells, and large industrial wells. The method for determining the near-term groundwater demand from these wells utilized the groundwater depletions, which was the same process used to determine depletive effects for the basin water supply. The long-term groundwater demand considered groundwater consumption, which was the total amount of net water pumped (net irrigation requirement) within that period, irrespective of lag-effects for wells located within the hydrologically connected area.
 - i. 10/50 area – **DNR** has this boundary mapped
 - c. Hydropower – **HDR/TFG**
Hydropower demands are represented by evaluating the water supplies that were diverted on a daily basis through the representative period and

Difference between the Current and Fully Appropriated Levels of Development Draft Scope of Work

the groundwater depletions to those daily values when the diversion was operational and the full capacity of the diversion was not realized.

- i. diversions
- ii. shut down time

d. Instream flow – **HDR/TFG**

Instream flow demands are represented through a three-step process. The first step consists of adding the total groundwater depletions to the daily streamflow values at the point of the appropriation for the representative period and comparing this value to the daily appropriated right. The second step consists of converting those daily values to peak and non-peak season volumes and proportioning those volumes to each basin or subbasin. The third step is to subtract the consumption associated with levels of groundwater development in place at the time of the appropriation from the volumes created in step two to achieve the final instream flow demands

- i. Groundwater Depletions –
 - 1. 7/25/1990 level of development
 - 2. 11/30/1993 level of development

e. Net SW Loss – bookend it – **Thad, HDR/TFG**

Net Surface Water Loss is intended to represent the difference between the water that is recharged from a large irrigation canal and the water supply increase that it created within a given time period

- i. Assume Net SW loss = Difference between the amount diverted and the amount consumed for irrigation
- ii. Assume Net SW loss = zero

f. Downstream Demand on the river reach above Elm Creek

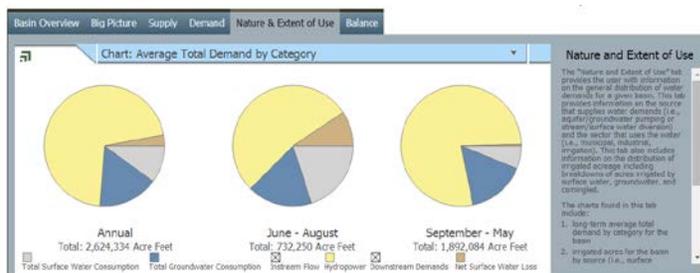
- i. Supply downstream of Loup Confluence – **DNR**
- ii. Elm Creek to Loup – **Thad, HDR/TFG**

3) Nature and Extent of Use – **Thad, HDR/TFG**

a. Generate the necessary data to create graphs like those shown below includes:

- i. Irrigated Acres
- ii. All Supply and Demand Categories, plus municipal, industrial, surface water irrigation demand, and ground water irrigation demand

Sources: HDR/TFG, Thad (WWUM), DNR





October 2, 2014

Platte Basin Coalition
C/O Jennifer Schellpeper
301 Centennial Mall South
4th Floor State Office Building
P.O. Box 94676
Lincoln, Nebraska 68509-4676

Dear Platte Basin Coalition,

Adaptive Resources, Inc. (ARI) has been asked to provide a cost estimate to the Platte Basin Coalition (PBC) on the draft scope of work called Difference between the Current and Fully Appropriated Levels of Development dated September 10, 2014 (SOW). The members of the PBC would like the existing Western Water Use Management (WWUM) Modeling and Cooperative Hydrology Study (COHYST) Modeling consultants to complete the work described in the SOW. The consultants include ARI (WWUM Modeling consultant and termed Thad in the SOW) and HDR, Inc. and The Flatwater Group (COHYST Modeling consultants termed HDR/TFG in the SOW).

Scope of Work Overall Project Goals

As described in the SOW, the overall project goals include two phases. The first phase has two components, first the INSHIGHT Methods dated 03/27/2014 will be used to summarize the information and provide the overall water supply, water demand, and balances of the two throughout the Platte Basin. Second, development of a methodology to further separate the basin into smaller sub-areas based on certain characteristics of the NRDs (which is called the Geographic Area in the SOW). The second phase of the project utilizes the Geographic Area methodology and the INSIGHT Methods information developed in phase one to complete the separation of the difference between current and fully appropriated levels of development into NRD sub-areas.

Scope of Work Tasks

The SOW outlines several tasks that both ARI (and Wilson Water Group (WWG), other WWUM Modeling consultant who will be subcontracted to ARI) and HDR/TFG will complete. Several of these tasks will be jointly completed by both consulting groups. Thad Kuntz and John Engle (HDR) have been in communication on the project and have identified these joint tasks and will provide cost estimates to jointly complete these tasks. The other tasks identified will be completed by ARI while maintaining coordination with HDR to complete these tasks using similar methods and formatting so that the final datasets will be easily incorporated together.

Phase I – Geographic Area

As outlined in the SOW, the consultants will develop options to further separate the basin into smaller sub-areas using example calculations for each option. The options will be presented to the PBC Technical Committee which may supply revisions which will be completed by the consultants, then the options will be presented to the PBC Administrators where they will also be subject to revisions. If revisions from the Administrators are necessary, the process will be completed once more which will provide the options to the Administrators.

To complete this task we will use these estimates of the maximum number of meetings and work to complete the entire process as outlined above:

- 3 In-Person Meetings Between the Consultants and Any TC Members (In Lincoln, NE)
- 6 Conference Call Meetings between the Consultants and Any TC Members
- 2 In-Person TC Meetings with the Consultants and TC Members (In North Platte, NE)
- 2 In-Person Administrators Meetings with the Consultants (In North Platte, NE)
- 120 Hours of Technical Work and Coordination with Other Consultants and TC Members
- 32 Hours of Final Geographic Area Methodology Write-Up

The total cost estimate for this task is \$39,000.

Phase I – Project Data and Documentation

To complete the INSIGHT Methods and documentation, several aspects have been outlined in the SOW and in the INSIGHT Methods documentation. For ARI's portion of the tasks, we will utilize the WWUM Modeling information which will be compiled at 5 gage locations which are:

- Nebraska-Wyoming (NE-WY) North Platte River State Line Gage
- Lewellen North Platte River Gage
- Ralton Lodgepole Creek Gage
- Julesburg, CO (NE-CO) South Platte River Gage
- Paxton South Platte River Gage

Information at the NE-WY North Platte River (NPR) State Line Gage will be a combination of estimated canal flows and the USGS gage site. Information at both the NE-WY NPR and NE-CO South Platte River state line gages will be analyzed to provide a baseline comparison for downstream gages. The Paxton South Platte River Gage information will be a joint effort between ARI and HDR/TFG due to the portion of the South Platte River that falls within SPNRD and the WWUM Modeling.

The following tasks in **bold** are required to be provided by ARI to complete the INSIGHT Methods. Each task will provide the data in **monthly** totals to be able to summarize the data into peak and non-peak demand seasons as outlined in the Reporting Timeframes of the SOW.

The *italicized* description below each task provides further discussion of ARI's involvement of each task, whether the task will be jointly completed, additional tasks beyond description in SOW, and any concerns.

1) Autocovariance and Kendall Tau Analysis on Streamflow at Gages

This task will be a joint task between ARI and HDR/TFG. HDR/TFG has already developed the necessary data processing for this task, so ARI's portion of the task will be limited to the review and comment on the processes and data.

2) Water Supply:

a. Basin Water Supply

i. Surface Water Supply

1. Streamflow data – capped/uncapped and reach gains

This will be a joint task between ARI and HDR/TFG. HDR/TFG has developed the necessary data processing for this task, so ARI's portion of the task will be limited to the review and comment on the process and data.

2. Surface Water Consumptive Use

a. Irrigation Districts and Canal Companies with diversion, delivery and/or return data

The information within this task will be compiled by WWG and provided to ARI whom will provide the data in the proper formatting.

b. Reservoir Evaporation on reservoirs greater than 32,000 AF in size

ARI will complete this task on Lake Minatare depending on the availability of the data.

ii. GW Supply

1. GW Depletions, DNR has generated the data, but it needs summarized at the hydropower points.

Additional Task beyond SOW: The ground water depletions will need to be updated by ARI due to a change in the WWUM Modeling calibration and historic pumping estimates on ground water only lands that will be available in the next few months (December 2013).

iii. Required Inflow to the river reach below Kearney Canal (Upstream Supply)

This task will be a joint effort between ARI and HDR/TFG to prepare the data and summarize the information.

4) Water Demand (Total Demand):

a. SW Demand

i. Reservoir evaporation – same calculation as completed on the surface water supply side of the equation;

Same as 2. i. a. 2. b.

ii. WWUM & CoHySt – the same calculation completed on the surface water supply side of the equation will be used, unless the full corn irrigation requirement is not met, then demand is the full corn irrigation requirement.

The information within this task will be compiled by WWG and provided to ARI whom will provide the data in the proper formatting.

b. GW Demand

- i. Same calculation as GW Supply for short term supplies but the Net Irrigation Requirement will be used for long term supplies to provide the full yearly impacts to the surface water system from the ground water consumptive use.**

A portion of this task will be completed by ARI in task 2. a. ii. 1. and ARI will compile the crop mix NIR for the long term supplies. Concern: The INSIGHT Methods document does not address the complexity of commingled pumping and the different approaches to calculating the pumping by both the WWUM and COHYST Modeling. As a consequence, the estimate to complete this portion of work does not include possible additional data analysis to determine the ground water demand from commingled lands. To complete this portion of the task, additional funds outside the estimate may need to be allocated to this task.

c. Net SW Loss (bookend it)

Net Surface Water Loss is intended to represent the difference between the water that is recharged from a large irrigation canal and the water supply increase that it created within a given time period

- i. Assume Net SW loss = Difference between the amount diverted and the amount consumed for irrigation**
ii. Assume Net SW loss = zero

The information within this task will be compiled by WWG and provided to ARI whom will provide the data in the proper formatting.

d. Downstream Demand on the river reach above Elm Creek

- i. Elm Creek to Loup**

This task will be a joint effort between ARI and HDR/TFG to prepare the data and summarize the information.

5) Nature and Extent of Use

- a. Generate the necessary data to create graphs like those shown below includes:**

- i. Irrigated Acres**
ii. All Supply and Demand Categories, plus municipal, industrial, surface water irrigation demand, and ground water irrigation demand

This task will be a joint effort between ARI and HDR/TFG to prepare the data and summarize the information.

6) Thorough Documentation of Above Analyses

This task will be a joint effort between ARI and HDR/TFG to prepare the final documentation.

The estimated total cost to complete these tasks is \$63,000. With the exception of 2. a. ii. 1. and possibly 4. b. i., ARI will assume that no additional modeling work using the WWUM Modeling will occur and that the data outlined above should be available through the WWUM Modeling.

Phase II – Summarize Data to Each Natural Resources District Using Geographic Area Methodology

The information summarized and compiled in Phase I of the project through the INSIGHT Methods will be distributed to each Natural Resources District using the Geographic Area methodology also developed in Phase I of the project. This task may not be necessary if the data is distributed to each NRD during the Phase I – Project Data and Documentation. If the data is not distributed during Phase I, the additional work's estimated cost for ARI to complete this task is \$13,000. Also, this will be a joint task between ARI and HDR/TFG.

Overall Project Costs

The overall cost estimate to complete both phases of project is \$115,000 but ARI will bill the PBC on a time and material basis to complete the above tasks. The cost estimate provided is not an absolute estimate and the cost may vary depending on available data and the analyses needed.

As described under Phase I – Project Data and Documentation in 2. a. ii. 1., the work to rerun the Ground Water Supply is outside of what is described in the SOW and reflects the most up to date WWUM Modeling. Also as described under Phase I – Project Data and Documentation in portion 4. b. i., there is a possibility that additional work and funds will be needed to determine the commingled pumping portion of the Ground Water Demand beyond what is described in the SOW and as provided in this cost estimate. If this occurs, ARI will notify the PBC of the need for additional funds to complete task 4. b. i.

Please let me know if you have any questions.

Sincerely,



Thad A. Kuntz
Principal Hydrogeologist
Adaptive Resources, Inc.

**DIFFERENCE BETWEEN CURRENT AND FULLY APPROPRIATED LEVELS OF DEVELOPMENT
FEE ESTIMATE - OCTOBER 2, 2014**

| TASKS | | HDR Engineering, Inc. Estimated Hours/Costs | | | | | Expenses | | | HDR Totals | TFG | Est. Total Cost | Notes/Assumptions | | |
|--|---|---|------------|-----------|------------|-----------|-------------|------------------|-----------|------------|---------|------------------------|---|-------------------|--|
| | | Sr. Engineer | Specialist | Mid-Level | Junior | Clerical | Total Hours | Total Labor Cost | Tech. Fee | | | | | Travel | Total Expenses [1] |
| TASK SERIES 100 - PHASE I METHODOLOGY DEVELOPMENT | | | | | | | | | | | | | General assumption: No additional COHYST 2010 integrated model runs are anticipated. Assume required data can be extracted from calibrated model runs and model runs completed in support of 2014 FAB analyses. | | |
| Task 110 | Project Management | 16 | | | | 4 | 20 | \$3,544 | \$74 | | \$74 | \$3,618 | | \$3,618 | Overall Project Management |
| Task 120 | Meetings | 48 | | | | 48 | 96 | \$14,496 | \$355 | \$1,500 | \$2,005 | \$16,501 | \$2,000 | \$18,501 | Assumes 3 meetings HDR team/Thad, 3 meetings with PBC Tech group, and 2 meetings with PBC Administrators; monthly conference calls |
| Task 130 | Development of Options and Example Computations | 8 | 4 | | | 20 | 32 | \$4,496 | \$118 | | \$118 | \$4,614 | \$3,000 | \$7,614 | Up to 3 options for geographically partitioning the basin will be developed and example computations prepared |
| Task 140 | Refinement of Options | 6 | | | | 20 | 26 | \$3,240 | \$96 | | \$96 | \$3,336 | \$1,000 | \$4,336 | Refinement of preferred option for final approval |
| Task 150 | Documentation of Methodology Development | 4 | | | | 16 | 20 | \$2,432 | \$74 | | \$74 | \$2,506 | | \$2,506 | Documentation of methodology development, selected option approach, and example computations; submitted to PBC Administrators with Methodology for final approval and included in overall documentation |
| Estimated Task Hours Subtotal | | 82 | 4 | 0 | 104 | 4 | 194 | | | | | Total Task Cost | | \$36,576 | |
| TASK SERIES 200 WATER SUPPLY | | | | | | | | | | | | | HDR will address South Platte River (coordination with Thad on Lodgepole Creek), North Platte below Lewellen, and Platte to Loup confluence. | | |
| Task 210 | Capped Stream Flow | 1 | | 4 | | 16 | 21 | \$2,472 | \$78 | | \$78 | \$2,550 | | \$2,550 | |
| Task 220 | Surface Water Consumptive Use | 1 | | 4 | | 32 | 37 | \$4,104 | \$137 | | \$137 | \$4,241 | | \$4,241 | Assume reference to 1000 AF in scope is actually 1000 acre surface area |
| Task 230 | Upstream Supply Analysis | 1 | | 4 | | 24 | 29 | \$3,288 | \$107 | | \$107 | \$3,395 | | \$3,395 | |
| Task 240 | Compilation of supply components | | | 2 | | 24 | 26 | \$2,768 | \$96 | | \$96 | \$2,864 | | \$2,864 | |
| Task 250 | Statistical Analysis | 1 | 8 | | | 40 | 49 | \$5,992 | \$181 | | \$181 | \$6,173 | | \$6,173 | Assumed HDR would complete autocorrelation and Kendall-Tau analyses for entire study area Thad to provide data from North Platte River and Lodgepole Creek as needed. Initial assumption is analysis will be completed for State Line gage on North Platte River and Julesburg gage on the South Platte River. |
| Estimated Task Hours Subtotal | | 4 | 8 | 14 | 136 | 0 | 162 | | | | | Total Task Cost | | \$19,223 | |
| TASK SERIES 300 WATER DEMAND | | | | | | | | | | | | | HDR will address South Platte River (coordination with Thad on Lodgepole Creek), North Platte below Lewellen, and Platte to Loup confluence. | | |
| Task 310 | Reservoir Evaporation and Storage Change | 1 | | | | 12 | 13 | \$1,424 | \$48 | | \$48 | \$1,472 | | \$1,472 | |
| Task 320 | Surface water delivery/full NIR of SW acres | 1 | | | | 20 | 21 | \$2,240 | \$78 | | \$78 | \$2,318 | \$1,000 | \$3,318 | |
| Task 330 | Groundwater Demand | 1 | | 4 | | 24 | 29 | \$3,288 | \$107 | | \$107 | \$3,395 | \$1,000 | \$4,395 | |
| Task 340 | Hydropower Demand | 1 | | 4 | | 40 | 45 | \$4,920 | \$167 | | \$167 | \$5,087 | \$1,500 | \$6,587 | |
| Task 350 | Instream Flow | 1 | | 4 | | 40 | 45 | \$4,920 | \$167 | | \$167 | \$5,087 | \$1,500 | \$6,587 | |
| Task 360 | Net SW Loss | 1 | | 4 | | 16 | 21 | \$2,472 | \$78 | | \$78 | \$2,550 | | \$2,550 | |
| Task 370 | Downstream demands | 1 | | 4 | | 32 | 37 | \$4,104 | \$137 | | \$137 | \$4,241 | | \$4,241 | |
| Estimated Task Hours Subtotal | | 7 | 0 | 20 | 184 | 0 | 211 | | | | | Total Task Cost | | \$29,149 | |
| TASK SERIES 400 DOCUMENTATION | | | | | | | | | | | | | Coordination with DNR INSIGHT database administrators and preparation of datasets for inclusion in INSIGHT | | |
| Task 410 | Nature and Extent of Supplies and Uses Summary | 2 | | | | 32 | 34 | \$3,664 | \$126 | | \$126 | \$3,790 | | \$3,790 | Assumes HDR will provide style guide and technical editing for entire document (HDR, DNR, and Thad portions) and compilation of final report. |
| Task 420 | Technical Editing | | | 2 | | 64 | 66 | \$5,824 | \$244 | | \$244 | \$6,068 | | \$6,068 | Assumes electronic copy distribution |
| Task 430 | Draft Documentation Report | 4 | | 12 | | 24 | 40 | \$5,168 | \$148 | | \$148 | \$5,316 | \$1,500 | \$6,816 | Assumes electronic copy distribution |
| Task 440 | Final Documentation Report | 4 | | 8 | | 16 | 28 | \$3,712 | \$104 | | \$104 | \$3,816 | \$1,000 | \$4,816 | Assumes electronic copy distribution |
| Estimated Task Hours Subtotal | | 10 | 0 | 22 | 72 | 64 | 168 | | | | | Total Task Cost | | \$21,490 | |
| TOTAL HOURS | | 103 | 12 | 56 | 496 | 68 | 735 | | | | | Total Cost | | \$ 106,438 | |

[1] Includes administrative fee for expenses (except techn. fee) @

10%

AGREEMENT

This agreement is entered into by and between the Platte Basin Water Project Coalition and the Central Platte Natural Resources District.

Whereas the Platte Basin Water Project Coalition (Coalition) was formed through an Interlocal Cooperation Agreement, in part, by five natural resources districts within the Platte and North Platte and South Platte River basins in Nebraska, and

Whereas the five natural resources district members of the Coalition have, as one of each of their responsibilities, to manage groundwater within each of their districts which has presently been determined to be partially over-appropriated and partially fully appropriated, and

Whereas members of the Coalition have obtained funding from the Nebraska Department of Natural Resources to assist in conducting the research to assist in making the determination of whether and how basins become fully appropriated, and

Whereas the Central Platte Natural Resources District (CPNRD) has or will shortly enter into agreements with two consultants for the purpose of performing the scope of work which is attached hereto as Exhibit A, and

Whereas upon the successful completion of the work as specified in the attached scope of work, the Coalition will reimburse the CPNRD up to \$36,000 for said work upon submission of satisfactory proof of payment for said work.

NOW THEREFORE, in consideration of the mutual promises contained herein the parties agree as follows:

1. **TERM.** This Agreement shall be for a term commencing upon the date of the last signature affixed hereto and continuing until December 31, 2015, unless the agreement is:
 - A. Terminated for cause in the event either party defaults on any of its material obligations under this agreement. The non-defaulting party shall notify the defaulting party in writing, specifying in detail the nature and extent of such breach. If within 30 calendar days after written notice of such default, the defaulting party fails to remedy the default, this agreement will terminate.
 - B. Amended by written amendment signed by both parties.
2. **SCOPE OF WORK.**
 - a. Attachment A is the scope of work as developed by the Coalition.
 - b. Technical oversight of the scope of work will be carried out by the Coalition, via the POAC Technical Committee.
3. **REIMBURSEMENT.**

Comment [JS1]: Is this what the PBC wants?

- a. The Coalition agrees to reimburse the CPNRD for actual costs not to exceed \$36,000 incurred during the term of this agreement in performance of the task orders approved under this agreement. Reimbursement shall be made for expenses submitted to the Coalition. All submissions shall be detailed and include appropriate supporting documentation. Reimbursement will only be for a budget approved by the Coalition and for tasks performed under the Scope of Work developed and approved by the Coalition.

Comment [JS2]: Who should review the invoices for the Coalition?

4. **NOTICES.** All notices, requests, demands and other communication hereunder shall be in writing and delivered or mailed, with postage prepaid to the Agreement Managers at the addresses set forth in this agreement.
5. **AGREEMENT MANAGERS.**
- a. The Coalition Agreement Manager is: ____ Address is: _____, email: ____, phone: _____.
- b. The CPNRD Agreement Manager is: ____ Address is: _____, email: ____, phone: _____.
- c.
6. **BINDING.** This Agreement shall inure to and bind the successors, assigns and representatives of the parties, provided however that this Agreement may not be assigned by either party without the prior written consent of the other. Neither party intends anyone to be a third party beneficiary of this Agreement.
7. **AMENDMENT.** This agreement may be amended only in a writing duly executed by both parties.
8. **TITLES NOT CONTROLLING.** The titles of the paragraphs are for reference only and shall not be used to construe the language of this agreement.
9. **PREVAILING LAW.** This Agreement is governed by the laws of the State of Nebraska including the State Contract Claims Act, *Neb. Rev. Stat.* Sections 81-8,302 through 81-8,306.
10. **TECHNOLOGY ACCESS.** UNWNRD agrees to ensure compliance with Nebraska Access Technology Standards.
See website at: <http://www.nitc.state.ne.us/standards/accessibility>.
11. **FAIR EMPLOYMENT PRACTICES.** UNWNRD agrees to ensure compliance with the Nebraska Fair Employment Practice Act which prohibits contractors of the State of Nebraska, and their subcontractors, from discriminating against any employee

or applicant for employment, with respect to hire, tenure, terms, conditions or privileges of employment because of race, color, religion, sex, disability, or national origin, *Neb. Rev. Stat.* Sections 48-1101 through 48-1125.

12. **NEBRASKA DRUG-FREE WORKPLACE POLICY.** UNWNRD agrees to ensure compliance with the Nebraska Drug-Free Workplace Policy.

13. **SIGNATURES.**

IN WITNESS WHEREOF, the Parties to this Agreement through their duly authorized representatives have executed this Agreement on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Agreement as set forth herein.

The Effective Date of this Agreement is the date of the signature last affixed to this Agreement.

Platte Basin Water Project Coalition

Central Platte Natural Resources District

By: _____

by: _____

Printed Name

Printed Name

Date: _____

Date: _____

415 Lincoln St.
P.O. Box 740
Holdrege, NE 68949-0740



CENTRAL
Nebraska Public Power
and Irrigation District

Phone: (308) 995-8601
Fax: (308) 995-5705
Web: www.cnppid.com

September 5, 2014

Diane M. Wilson
Chief Operating Officer / Chief Financial Officer
Nebraska Community Foundation, Inc.
3833 South 14th Street
PO Box 83107
Lincoln, NE 68501-3107

RECEIVED

SEP 09 2014

**DEPARTMENT OF
NATURAL RESOURCES**

Brian P. Dunnigan, Director
Nebraska Department of Natural Resources
301 Centennial Mall South
Lincoln, NE 68509-4676

Enclosed is the J-2 Regulating Reservoirs Project Quarterly Report No. 3 for the period of June 1, 2014 through August 31, 2014.

If you should have any questions, please contact me.

Respectfully submitted,

Don Kraus, P. E.
General Manager

ea

Attachments

Copy with attachments: Jerry F. Kenny, Ph.D.

J-2 Regulating Reservoirs Project
Quarterly Report No. 03
Report Period: June, July, and August 2014

The purpose of this Quarterly Report is to provide a general summary of the work performed for the J-2 Regulating Reservoirs Project (Project) between June and August, 2014. This does not include details of all subtasks performed. The summary of work is organized into the following general categories of work:

- General Project Management and Implementation Tasks
- Permitting Activities
- Land Purchase Activities
- Water Rights Petition Filing
- Engineering Tasks

General Project Management and Implementation Tasks

- The team continued to coordinate through recurring teleconferences.
- RJH Consultants, Inc. (RJH) continued to maintain a file-share site for use by the Implementation Team to share and store Project information.
- RJH continued to prepare monthly reports and track team expenditures.
- Central maintained a Project website to provide information to the public.
- The team continued to hold topic specific coordination meeting to support various aspects of land purchasing, permitting, and engineering.

Permitting Activities

- Set up and participated in preliminary meetings with three permitting agencies: Nebraska State Historical Preservation Office, Nebraska Game and Parks Commission, and the US Fish and Wildlife Service.
- Completed preparation of and submitted the Initial Consultation Document (ICD) (the first key submittal to the Federal Energy Regulatory Commission (FERC)).
- Continued developing draft plans for environmental and cultural resources studies.
- Presented a proposed road realignment concept to Gosper County commissioners on June 30, 2014. The County's response was that they do not agree with or condone the Project, but the concept to realign the road around the Project is acceptable.
- Held a Joint Agency Meeting (JAM) on July 1, 2014 and filed JAM notes with FERC in accordance permitting requirements.
- Began tracking agency and public comments on the ICD.

Land Purchase Activities

- Continued property visits, one-on-one meetings with land owners, and appraisals. This task proved to be more difficult than expected primarily because there are unresolved inconsistencies with property lines in the deeds, records, surveys, and according to landowner's understandings. As a result, appraisals and appraisal reviews were not completed during this quarter.
- Revised the tentative schedule for the public hearings required to purchase lands. The revised dates are currently between early November and Mid December, but are not finalized.
- Continued process to obtain temporary rights of entry for private property. This process is now proceeding concurrent with the process to begin negotiations for purchasing property. Potential impacts to the Project schedule associated with temporary access are being monitored and actively addressed.

Water Rights Petition Filing

- Received a copy of a letter sent from Nebraska Public Power District (NPPD) to the Nebraska Department of Natural Resources (NDNR) stating their opinion that the Project should be considered a storage reservoir and not a regulating reservoir as defined by the statutes.
- NDNR approved the petition to modify the line of the canal and return flow points for the J-2 Project.

Engineering Tasks

- Continued to monitor the groundwater levels at 22 monitoring well locations along the Phelps Canal and around the proposed reservoirs.
- Continued to modify and advance development of road realignment alternatives following meetings with County commissioners and based on comments from landowners whose property needs to be purchased for re-alignment of the roads.
- Continued hydrologic evaluations of Plum Creek, the Platte River, and the unnamed tributary. These evaluations are needed to identify the likely flows during infrequent and significant storm events such as the 100-year storm and the Probable Maximum Precipitation.
- Performed preliminary hydraulic computations and evaluation to support a re-alignment of Plum Creek.
- Developed a preliminary concept for realigning Plum Creek.
- Planned and executed a calibration test of the canal to evaluate and improve the reliability of hydraulic computer models of the canal.
- Began more detailed planning of geotechnical exploration needed to support design.

- Continued developing photorealistic renderings to assist in public understanding of the Project.

Tasks Anticipated for the Next Quarter

- Complete appraisals and appraisal reviews.
- Schedule and advertise for the public hearings for land purchasing.
- Compile comments received on the ICD.
- Request temporary rights of entry to private properties for geotechnical and environmental studies.
- Prepare draft study plans for agency review and comment.
- Begin consultations with regulatory agencies.
- Begin environmental field studies.
- Begin preparation of draft License Application.
- Begin planning for topographic survey of site for engineering design.
- Complete detailed planning of geotechnical evaluations.
- Completed hydrologic and hydraulic evaluations of floodplains.
- Continue hydraulic evaluation of canal and regulating reservoir system to support final design.
- Continue to advance the design of the realigned road and Plum Creek.



CENTRAL

Nebraska Public Power
and Irrigation District

415 Lincoln Street • P.O. Box 740
Holdrege, Nebraska 68949-0740

PBC Meeting
October 6, 2014
Attachment J

neopost

09/05/2014

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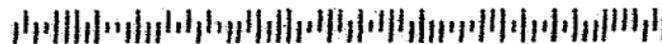
Brian P. Dunnigan, Director
Nebraska Department of Natural Resources
301 Centennial Mall South
Lincoln, NE 68509-4676

RECEIVED

SEP 09 2014

**DEPARTMENT OF
NATURAL RESOURCES**

68508252901



415 Lincoln St.
P.O. Box 740
Holdrege, NE 68949-0740



PBC Meeting
October 6, 2014
Attachment K

Phone: (308) 995-8601
Fax: (308) 995-5705
Web: www.cnppid.com

August 9, 2014

Diane M. Wilson
Chief Operating Officer / Chief Financial Officer
Nebraska Community Foundation, Inc.
3833 South 14th Street
PO Box 83107
Lincoln, NE 68501-3107

Brian P. Dunnigan, Director
Nebraska Department of Natural Resources
301 Centennial Mall South
Lincoln, NE 68509-4676

Subject: J-2 Regulating Reservoirs Project Annual Report

Section 6 of the July 2013 Water Service Agreement by and among The Central Nebraska Public Power and Irrigation District (Central), the State of Nebraska, and the Nebraska Community Foundation provides, in part, that Central will provide an annual report to the Parties on the status of Project Accounts and expenses. This letter provides the required Annual Project Report for the period of July 1, 2013 through June 30, 2014.

If you should have any questions, please contact me.

Respectfully submitted,

Don Kraus, P. E.
General Manager

ea

Attachments

Copy with attachments: Jerry F. Kenny, Ph.D.

Annual J2 Project Expense Report
 July, 2013 thru June, 2014

| | 3196001 Land Acquisition | 3196002 Engineering | 3196003 Permitting | 3196004 Project Outreach | 3196005 Construction-Gen | Total |
|------------------------------|-----------------------------|------------------------|-----------------------|-----------------------------|-----------------------------|-------------------|
| Anderson Klein | 899.00 | | | | 1,270.50 | 2,169.50 |
| Burns Law Firm | 3,656.00 | | | | | 3,656.00 |
| Davis Wright Tremaine | 2,600.00 | | 11,419.15 | | | 14,019.15 |
| Fraser Stryker | 325.00 | | | | 97.50 | 422.50 |
| Furgo-Pub FERC Filing Notc | | | | | 44.18 | 44.18 |
| Holdrege Citizen | | | | | 34.78 | 34.78 |
| Investment Property Exchange | 29,090.00 | | | | | 29,090.00 |
| Kearney Hub | | | | | 96.66 | 96.66 |
| Kleinschmidt | | | 64,950.19 | | | 64,950.19 |
| Mammoth Archaeology Cons | | | 770.00 | | | 770.00 |
| McCormick, Robert | 268.75 | 137.50 | | | | 406.25 |
| Midwest Right of Way | 8,189.24 | | | | | 8,189.24 |
| ReadyTalk-Conference Calls | 12.38 | | 34.42 | | 5.27 | 52.07 |
| Rembolt Ludtke | | | 23,253.89 | | | 23,253.89 |
| RJH Consultants | | 504,404.34 | | | | 504,404.34 |
| Payroll | 7,077.52 | 6,989.14 | 25,261.45 | 2,751.77 | 19,665.81 | 61,745.69 |
| Vehicle Use | 46.80 | 81.12 | 689.00 | 66.04 | 340.34 | 1,223.30 |
| Petty Cash | 7.80 | | | | | 7.80 |
| Steinke Exp Voucher | 238.85 | 560.10 | 466.67 | 43.93 | 303.08 | 1,612.63 |
| Drain Exp Voucher | | 476.43 | 2,334.43 | | 531.83 | 3,342.69 |
| Thulin Exp Voucher | | | | | 22.19 | 22.19 |
| Marriott | | | | 115.32 | | 115.32 |
| J2 Check Stock | | | | | 143.48 | 143.48 |
| Project Construction Fee | 1,244.77 | 12,175.41 | 3,068.02 | 70.71 | 535.71 | 17,094.62 |
| Total | 53,656.11 | 524,824.04 | 132,247.22 | 3,047.77 | 23,091.33 | 736,866.47 |

Annual J2 Project Fund Balance Report
July, 2013 thru June, 2014

Contributions from the Parties

| | |
|-------------------------------------|------------------------|
| Wire from Foundation-PRRIP 9-30-13 | \$14,606,250.00 |
| Wire from CNPP&ID 10-2-13 | \$1,000,000.00 |
| Wire from Foundation-State 10-15-13 | \$4,868,750.00 |
| | <u>\$20,475,000.00</u> |

| Project Accounts | Initial Balance | Balance 6-30-14 | Remaining Funds Available 6-30-14 |
|---|----------------------------|----------------------------|--|
| J2 Operating Fund (Construction Phase Fund) | \$15,094,398.29 | \$14,552,810.17 * | \$14,374,626.44 |
| Construction Phase Decommissioning Fund | \$2,252,443.50 | \$2,252,443.50 | \$2,252,443.50 |
| Construction Phase Reserve Fund | \$2,653,158.21 | \$2,653,158.21 | \$2,653,158.21 |
| Project Construction Fee Fund | \$475,000.00 | \$462,137.26 * | \$457,905.38 |
| Total | \$20,475,000.00 | \$19,920,549.14 | \$19,738,133.53 |

*June expenses and July transfers occurring after the July Board Meeting are not included

Diane Wilson
Nebraska Community Foundation
P.O. Box 83107
Lincoln, NE 68501

Subject: Invoicing concerning funding for the J-2 regulating reservoir project for the Department of Natural Resources, Central Platte, Twin Platte and Tri-Basin Natural Resources Districts in accordance with Department contract numbers 574, 575 and 608

Dear Ms. Wilson:

As you are aware, the Platte River Recovery Implementation Program (Program), Department of Natural Resources (Department) and Central Nebraska Public Power and Irrigation District (Central) recently entered into a formal water lease agreement to proceed with the final design and land acquisition for the J-2 regulating reservoir project. The Department, as a party to the water lease agreement, has a commitment to make payment to the project. The Department has also entered into an agreement with Central Platte, Twin Platte, and Tri-Basin Natural Resources Districts (NRDs) to share in the payment of Nebraska's portion of costs for the J-2 regulating reservoir project. A copy of this agreement and the recent amendment are enclosed. The Department and the three NRDs have agreed to make payment to the J-2 regulating reservoir project and are requesting Nebraska Community Foundation (NCF) administrative and financial management support services as described in the attached September 2012 Financial Management Agreement.

Please invoice the Department and the Natural Resources Districts for the first payment as follows:

| Party | Contact | Second J2 Payment | Payment Incl NCF Fee |
|--------------------|----------------|--------------------------|-----------------------------|
| Department | Jesse Bradley | \$ 5,698,050.00 | \$ 5,813,285.87 |
| Central Platte NRD | Lyndon Vogt | \$ 587,428.00 | \$ 599,307.99 |
| Tri-Basin NRD | John Thorburn | \$ 587,428.00 | \$ 599,307.99 |
| Twin Platte NRD | Kent Miller | \$ 469,942.00 | \$ 479,445.98 |
| TOTAL | | \$ 7,342,848.00 | \$ 7,491,347.83 |

Please send invoices to the following addresses:

State of Nebraska
Department of Natural Resources
P.O. Box 94676
Lincoln, NE 68509-4676

Central Platte Natural Resources District
215 N. Kaufman Ave.
Grand Island, NE 68803

Tri-Basin Natural Resources District
1723 Burlington Street
Holdrege, NE 68949

Twin Platte Natural Resources District
P. O. Box 1347
North Platte, NE 69103-1347

Payment to Central will not occur until an invoice has been reviewed by the Department and the NRDs. The Department will send the NCF a notice to make payment once it has been reviewed.

If you have any questions regarding the invoicing and payment process please give me a call at 402-471-2899

Jennifer J. Schellpeper

DRAFT