



Inter-Local Cooperation Agreement Between the  
Tri-Basin Natural Resources District  
And the  
Nebraska Department of Natural Resources

Whereas, the State of Nebraska and the states of Wyoming & Colorado have signed an agreement with the U.S. Department of Interior to develop a basin wide program to provide habitat for endangered species that utilize the Central Platte River Basin in Nebraska; and

Whereas, one of the requirements of the agreement is the preparation, by each of the states, of a plan (New Depletions Plan) to prevent or offset the impacts of each state's new uses of water on the stream flows needed for the endangered species; and

Whereas, considerable time and effort has been expended on the development of a New Depletions Plan which places major responsibility for implementation of that plan on the Tri-Basin Natural Resources District (NRD) and six other Natural Resources Districts; and

Whereas, the additional work that the NRD will have to perform in accordance with that responsibility includes the tasks described in Attachment A; and

Whereas, the Nebraska Department of Natural Resources (DNR) has available from legislative appropriations funds to assist the NRD with the costs it incurs in performing such additional tasks between July 1, 2004 and June 30, 2005; and

Whereas, the NRD will also devote resources of its own to implement the New Depletions Plan and by September 30, 2005 will provide DNR with a report of the contributions to that effort under the terms of this agreement.

NOW THEREFORE, the parties hereto agree as follows:

- (1) The NRD agrees to:
  - (a) Perform the tasks described in Attachment A; and
  - (b) Bill DNR for the costs actually incurred by the NRD in providing such services, the total amount not to exceed \$77,000 during the term of this agreement. An itemization of anticipated expenditures is included in Attachment A. Billings shall be itemized and submitted at least quarterly, but no more often than monthly. Billings shall describe the services performed during the billing period and any individual item in excess of \$1,000 shall be documented.
- (2) DNR agrees to promptly review all bills submitted by the NRD and, in the absence of any dispute over those bills, pay the NRD the amount billed within 21 days of the receipt of the bill.
- (3) All materials, supplies, software, hardware and equipment purchased by the NRD to carry out the provisions of this agreement will be the property of the NRD.
- (4) This agreement may be modified in writing at any time by mutual agreement of the parties or may be terminated by either party by giving the other party 30 days notice in writing of such termination. Services provided by the NRD prior to the date of any such termination shall be paid by DNR in accordance with item (2) above.

Tri-Basin NRD

Bradley Lunden 3-8-05  
Date

Department of Natural Resources

Regis Pulliam  
Director Date

RECEIVED  
MAR 16 2005  
DEPARTMENT OF  
NATURAL RESOURCES

APPROVED  
AS TO FORM & CONTENT  
BY NDNR LEGAL COUNSEL  
400 DATE \_\_\_\_\_

## Attachment A

**Introduction:** Tri-Basin Natural Resources District (NRD) intends to cooperate with the Nebraska Department of Natural Resources (DNR) to implement the Platte River Cooperative Agreement. The NRD and DNR also administer Nebraska State Statutes related to water management. The DNR will provide financial assistance to the NRD in order to carry out these obligations more effectively. DNR's financial assistance is detailed in the column labeled "Platte Basin Funding" in the attached spreadsheet labeled "Exhibit A." The NRD will match state funds with local dollars, as detailed in the column labeled "TBNRD Platte Basin Match" in the attached spreadsheet labeled "Exhibit A." Following are descriptions of items for which the NRD intends to use DNR funds during fiscal year 2004-2005, and an itemization of the anticipated expenditures by item. Numbers that precede item descriptions are NRD account numbers listed in Exhibit A.

|  |                 |
|--|-----------------|
| <u>45900 Technical Salaries - A portion of salaries for NRD staff assigned to locate wells, read flowmeters, measure observation wells, download data loggers, develop maps and work with constituents on integrated water management-related issues.</u>  | \$ 7,500        |
| <u>45500 Administrative / Clerical Salaries - A portion of salaries for NRD staff assigned to enter water use and other data, correct and revise well registrations, process well permits, certify irrigated acres and work with constituents on integrated water management-related issues.</u>   | \$ 4,100        |
| <u>16500 Data Loggers - Instruments designed to continuously measure and record groundwater level data in dedicated groundwater level observation wells (see item 48000 "Observation Wells" listed below). Groundwater level data will be used in the Republican and Platte Basin groundwater models, as well as for groundwater regulation.</u>   | \$10,830        |
| <u>16900 Laptops - Three computers will be used by technical staff to gather water use data in the field for integrated water management.</u>  | \$ 5,250        |
| <u>47000 Platte Basin Flowmeters - Funds to provide cost-share to landowners in the Platte Basin who install permanent flowmeters and provide data to the NRD.</u>   | \$29,320        |
| <u>48000 Observation Wells - Dedicated groundwater level observation wells that will have data loggers installed in them (see item 16500 "Data Loggers" listed above) to allow continuous measurement of groundwater levels throughout the year. The groundwater level data will be used in the Republican and Platte Basin groundwater models, as well as for groundwater regulation.</u> | <u>\$20,000</u> |

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TOTAL: \$77,000

**EXHIBIT A**  
**Tri-Basin NRD**  
**SUMMARY OF STATE FUNDING**  
**FY 2004-2005**

| Account #    | Description                        | Total<br>Budget<br>Expense | Rep Basin   |             | Platte Basin |             | TBNRD                 |                         | NE Water            |                              | Net    |
|--------------|------------------------------------|----------------------------|-------------|-------------|--------------|-------------|-----------------------|-------------------------|---------------------|------------------------------|--------|
|              |                                    |                            | Funding     | Match       | Funding      | Match       | Platte Basin<br>Match | Platte Basin<br>Funding | NE Water<br>Quality | NE Water<br>Quality<br>Match |        |
| 45900        | Technical Salaries                 | \$47,180.00                | \$24,150.00 | \$0.00      | \$7,500.00   | \$2,500.00  | \$0.00                | \$13,030.00             | \$0.00              | \$0.00                       | \$0.00 |
| 45500        | Administrative/Clerical Salaries   | \$140,744.65               | \$20,750.00 | \$0.00      | \$4,100.00   | \$25,000.00 | \$11,905.07           | \$0.00                  | \$14,000.00         | \$64,989.58                  | \$0.00 |
| 46000        | Summer Intern/Maintenance Salaries | \$14,145.00                | \$0.00      | \$0.00      | \$0.00       | \$5,000.00  | \$0.00                | \$0.00                  | \$9,145.00          | \$0.00                       | \$0.00 |
| 41500        | Benefits                           | \$71,372.59                | \$0.00      | \$8,100.00  | \$0.00       | \$1,326.35  | \$0.00                | \$0.00                  | \$9,616.00          | \$2,330.24                   | \$0.00 |
| 43500        | Payroll Tax                        | \$22,990.19                | \$0.00      | \$3,419.00  | \$0.00       | \$3,373.65  | \$0.00                | \$0.00                  | \$3,791.61          | \$12,405.93                  | \$0.00 |
| 42100        | Information & Education            | \$12,300.00                | \$0.00      | \$0.00      | \$0.00       | \$5,000.00  | \$2,000.00            | \$0.00                  | \$4,100.00          | \$1,200.00                   | \$0.00 |
| 43943        | IWMS                               | \$6,000.00                 | \$0.00      | \$0.00      | \$0.00       | \$0.00      | \$6,000.00            | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 43100        | Legals                             | \$3,000.00                 | \$0.00      | \$500.00    | \$0.00       | \$2,500.00  | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 43700        | Postage                            | \$7,500.00                 | \$0.00      | \$2,000.00  | \$0.00       | \$2,500.00  | \$0.00                | \$0.00                  | \$500.00            | \$2,500.00                   | \$0.00 |
| 40700        | Director Expense                   | \$20,000.00                | \$0.00      | \$2,000.00  | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$2,000.00          | \$16,000.00                  | \$0.00 |
| 40900        | Director Per Diem                  | \$15,500.00                | \$0.00      | \$1,500.00  | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$1,550.00          | \$12,450.00                  | \$0.00 |
| 45000        | Internet                           | \$1,500.00                 | \$0.00      | \$400.00    | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$400.00            | \$700.00                     | \$0.00 |
| 45200        | Telephone                          | \$7,500.00                 | \$0.00      | \$2,000.00  | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$1,000.00          | \$4,500.00                   | \$0.00 |
| 41700        | Employee Expenses                  | \$9,000.00                 | \$0.00      | \$2,000.00  | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$900.00            | \$6,100.00                   | \$0.00 |
| 48000        | Well Monitoring/Chemigation        | \$3,400.00                 | \$0.00      | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$3,400.00          | \$0.00                       | \$0.00 |
| 48590        | Water Testing                      | \$2,000.00                 | \$0.00      | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$2,000.00          | \$0.00                       | \$0.00 |
| 48592        | Nitrogen Management                | \$1,000.00                 | \$0.00      | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$1,000.00          | \$0.00                       | \$0.00 |
| 47100        | State/Local Flowmeters             | \$7,500.00                 | \$0.00      | \$7,500.00  | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 43300        | Office Supplies                    | \$12,000.00                | \$0.00      | \$2,000.00  | \$0.00       | \$4,000.00  | \$0.00                | \$0.00                  | \$2,000.00          | \$4,000.00                   | \$0.00 |
| 43941        | Attorney                           | \$10,000.00                | \$0.00      | \$2,000.00  | \$0.00       | \$5,000.00  | \$0.00                | \$0.00                  | \$0.00              | \$3,000.00                   | \$0.00 |
| 48500        | Water Resources Projects           | \$4,000.00                 | \$0.00      | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$4,000.00              | \$0.00              | \$0.00                       | \$0.00 |
| 16500        | Data Loggers                       | \$18,000.00                | \$3,600.00  | \$0.00      | \$10,830.00  | \$3,570.00  | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 16900        | Laptops (3)                        | \$9,000.00                 | \$2,000.00  | \$0.00      | \$5,250.00   | \$1,750.00  | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 16900        | Scanner                            | \$1,000.00                 | \$1,000.00  | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 16900        | Filing System                      | \$5,500.00                 | \$5,500.00  | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 16900        | Server                             | \$10,000.00                | \$10,000.00 | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 16900        | Desk and Misc.                     | \$500.00                   | \$500.00    | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 47000        | Platte Basin Flowmeters            | \$39,800.00                | \$0.00      | \$0.00      | \$0.00       | \$0.00      | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 48000        | Gauging Station                    | \$12,581.00                | \$10,000.00 | \$2,581.00  | \$29,320.00  | \$10,480.00 | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| 48000        | Observation Wells                  | \$37,500.00                | \$12,500.00 | \$0.00      | \$20,000.00  | \$5,000.00  | \$0.00                | \$0.00                  | \$0.00              | \$0.00                       | \$0.00 |
| Grand Total: |                                    | \$552,513.43               | \$90,000.00 | \$36,000.00 | \$77,000.00  | \$77,000.00 | \$36,935.07           | \$36,935.07             | \$55,402.61         | \$180,175.75                 | \$0.00 |
|              |                                    |                            | \$90,000.00 | \$36,000.00 | \$77,000.00  | \$77,000.00 | \$36,935.07           | \$36,935.07             | \$55,402.61         | \$180,175.75                 | \$0.00 |