Appendix C

Written Public Comments

The Central Nebraska Public Power and Irrigation District

Final Project Boundary Review Report

Federal Energy Regulatory Commission Project No. 1417

December, 2020

2019-05-01 13:13:56
Melissa Engel
mengel38@gmail.com
3083556491

111 Albee's 3rd

Lewellen, Nebraska 69147

I have always felt that CPPD has been a good neighbor. They have worked to get along with the NE Game and Parks and tried to respect personal property. They ultimately control the access. This has always been a symbiotic relationship. After the meeting on April 15, the relationship felt more adversarial. In the past it does not feel that CPPD has managed the lake front or access roads. That has fallen on those who live there. And they have for the most part undertaken the stewardship of the beaches and access roads. Now it feels like they are setting us up for worse things to come by moving the boundaries rather than taking care of the lakefront property as it is. Twice the speaker said, "We have imminent domain and we don't have to give you a thing." I think that is adversarial at best, threatening at worse. I came away from that meeting feeling that we had no answers as to why boundaries are being moved, what are our rights as property owners, why is this not still a partnership where landowners can work with CPPD to care for the lakefront that they have concerns for.

Pointing us to FERC also seemed to be a bit of a copout. I tried to read those documents and felt there was so much legalize I would need a lawyer to interpret them. I hate feeling that the home I've built and invested the majority of my working life and earnings in is now being threatened. This is not a way to treat a neighbor.

2019-04-30 17:57:00
Gregory Zebolsky
zebpop@aol.com
4024930926

4205 N 153rd Street

Omaha, Nebraska 68116

My name is Gregory Zebolsky. My wife Rhonda and I jointly own property on the north side of Lake McConaughy. Our address is 138 Lakeshore – our property was previously lots 137, 138, and 139 and has been replatted to one lot. The proposed project boundary line includes the majority of our property. I have the following comments:

1. I have reviewed the report dated December 30, 2014 regarding the FERC Project Boundary Review and the section regarding Area 2, where our property is located. While I have read over the report several times, I cannot understand the purpose of the change in project boundary with respect to our property. I feel there should be better explanation of the purpose of the new boundary with respect to the existing properties around the lake and how CNPPID might make use of those areas within the new project boundary.

2. I have also reviewed the slide deck from the presentation on April 15, Lake McConaughy North Side, segment 1. Slide 26 of 26 includes our property. It appears that the new boundary line was drawn from east to west to connect the northern-most points of the existing boundary. By drawing the new project line this way, virtually our entire property is now included within the new boundary. It appears to me that the new project boundary line was drawn to simplify the project boundary rather than to encompass specific areas where CNPPID needs further erosion rights or access rights or for some other purpose.

3. Slide 19 of 26 from the segment 1 slide deck referenced above lists the “primary considerations for setting the proposed project boundary”. The five considerations listed include shoreline erosion, environmental resources, public recreation, shoreline management and control, and manageable/identifiable boundaries. Our property simply does not fit into any of these considerations, and I would like to comment on each, with respect to both our property and that of my neighbors to my east and west:

a. Shoreline erosion – there is already a significant buffer between our south property boundary and the highest level of the lake – I would estimate at least 200 yards. This buffer includes high grass and many cedar trees. This buffer also sits well above lake level. Erosion will never be anywhere close to our property.

b. Environmental resources – to my knowledge, Terns or Plovers do not nest near our property, as we are a significant distance from the sandy areas where they would nest.

c. Public recreation – the Cedarview campground is just to the south and east of our property, but there is a significant draw of low land that is already CNPPID property between our property and the campground. I cannot fathom how our property would ever be used for this purpose.

d. Shoreline management/control – as noted above, we are a significant distance from the shoreline. While I can understand some of the issues with respect to shoreline management with other properties to our west and south, this is simply not relevant to our property.

e. Manageable/identifiable boundaries – I cannot understand this consideration as laid out in the slide presentation, but I don't believe our property would be needed by CNPPID for purposes of a road or property lines or section lines, etc.

4. I respectfully request that the proposed boundary line be reconsidered in the eastern portion of the area shown on slide 26 of segment one, and I respectfully request that the boundary line revert to the existing boundary line already in place in this area. There is already significant buffer in this area with the current/existing project boundary, and there is plenty of CNPPID land to our south between our property and the lake for any of the purposes you might need it for.

Thank you for reading my comments.

Respectfully submitted on April 30, 2019.

Gregory Zebolsky

2019-04-30 13:24:58
John Baker
jack@baker-eng.com
3086313800

66 Mako Ch Mni

Ogallala, 69153

We have concerns of the proposed boundary revision on our property located at 66 Mako-Ch-Mni. This change does not make sense with the existing topography of the lot or any access points. The proposed relocation of the boundary would move our home within the boundary and the house sits on the highest point of the property. The elevation of the house is approximately 3296 (main floor) and the property slopes on the east side down to the beach area. The base of the hill is at approximately 3270, and we have seen no erosion on the property since the construction of the house in 1998. The drive to the south of the house is our private driveway just used for beach access by us and no one else.

The proposed boundary line change does not seem to be accurate or make sense based on the considerations used for the boundary review. I would be glad to discuss or review this in further detail at any time.

Thank you,

John (Jack) Baker

2019-04-26 09:44:55
dennis graham
madcaprace@aol.com
3036229531

53509 e. bison drive

strasburg, colorado, 80136

I was at the meeting for the North Boundary Review 4/15/19 @ 7:00pm. At the meeting Mike Drain showed a slide, reference my file cnppid11.jpg, where he circled in red 6 properties and pointed out,

" After further review we didn't need to create a new boundary here, these properties would never be subject to erosion. In this instance we need to move the boundary back and follow the old boundary line."

There are 6 different properties and 5 owners in Mike's red circle. Three of the properties in the red circle on the left or west side belong to Dennis Graham and Greg Zebolsky. Greg and I, as I'm sure (Terry Knotwell, Carl Muir and Terry Hamaker the 3 other owners) share Mike's opinion, and appreciate him pointing this out to all the people attending the meeting that evening. This expresses to the community that Central is trying to work with the private sector fairly, while accomplishing their requirements for a new boundary. Our hope in this isolated incident, is that Mike chooses to follow his own example as he suggested and keep the old boundary in place.

We are located just to the west of the boundary line coming off hwy 92 that includes the gate 13 Cedar Vue road into Cedar Vue camp ground and boat ramps. (I have tried to include a jpg of Mike's slide but was unable to attach or insert it into the comments section. If there is any doubt about the location I am referring to please send me an email containing your email address and information about how to reference this, so I can get you the file.)

2019-04-22 12:19:11
Gary niepoth
theniepoths@yahoo.com
3037268608

46 makochmni

Lake Mcconaughy Ogallala ne, 69153

I am the owner of 46&47 makochmni. During your meeting 4/20/19 I noticed on your overview map cnppid marked a portion of my property as right to erode. PLEASE BE ADVISED I NEVER GAVE CNPPID THE RIGHT TO ERODE. If you have any questions please call me Thank you Gary Niepoth

2019-04-19 11:04:57
DIANE HANSMEIER
DIANEHANSMEIER@GMAIL.COM
3039196915

6 LAKESHORE

LEWELLEN, Nebraska 69147

My primary residence is in Lakeshore Subdivision and i own Marina Landing in Albees Subdivision

If this new boundary line was only about "erosion" control the new line would only be along beach front areas & it is not. This boundary change not only effects our community but all communities around the lake. If Central already purchased the right to erode our property back in 1953 then why does the boundary line need to be changed. This new boundary change gives Central more leverage over our properties and I think it is about more than "erosion"

2019-04-18 13:35:31
Anthony Palmieri
medwell@comcast.net
3032171120

18415 East Crestline Circle

Centennial, CO 80015

I live at 116 Albees Third, Lewellen, NE 69147, at the corner of Coho and Crappie streets in the Albees/Marina Landing subdivision. My home sits at the highest point within the subdivision, well above flood plain and the highest point on the dam.

The proposed new boundary line now includes my home. I have been coming to this lake since 1968, and have seen all the various water level changes, weather conditions, erosion, endangered bird migrations, and every other natural or man made event since. In that time, and in regards to the shoreline that exists nearest to my home, I have witnessed the loss of MAYBE a grand total of 5-20 linear feet of cliff edge, varying depending on exact location within the subdivision.. Obviously, I cannot be 100% accurate, but you get the point. In these 50 years, I have NEVER witnessed the loss of any home, structure or building.

In the meeting that I attended on Monday, April 15, 2019, it was made very clear that there was no true criteria by which the NEW boundary was set. Yet the economic impact, property values, and legal impact of being included in your project can and will be substantial to the properties and homeowners included.

THEREFORE, I am challenging and objecting to what appears to be the arbitrary nature of how and why the new boundary is now proposed. I believe that my property, as it sits, is not now, and never will be subject to damage or loss, or EVER have any impact on ANY criteria that CNPPID has for inclusion in the project.....based on the erosion estimates, endangered species acts, or any other criteria that you may apply in order to prove that my property is of value or need to THE PROJECT, as it is called.

I would like to see the actual engineer estimates of erosion rate and impact that is projected for this area in which I live. The burden of proof that my property serves ANY valid need for your project is on you, and at current, there is no defensible reason that my property should be included in your plan. The application of the new boundary will destroy property values, and in that case, I would be expecting loss reimbursement for the difference of current vs. future value.

There exists in front of my house a road, WALLEYE STREET, which is at lower elevation, and is logically closer to the shoreline. For the purposes of the project, and since there is no discernible and specific criteria that has been presented to us as homeowners to validate the new proposed boundary lines, I

ask and propose that WALLEYE be considered as the Northern boundary within my section of the subdivision!

2019-04-09 10:32:49
Nicholas J Cavarra
njcavarra@gmail.com
3038865538

10 Meadowlark Lane

Littleton, CO 80123

We have a private home off of Lakeview Road on Stewarts street. The current boundaries have been in place for years and would like to see them remain the same. The Lakeview road is a an ideal boundary.

We would like to understand who has access and the rights on that public road (Lakeview) in Area 4 West as the road heads west along the lake? Who has approval to plow that road, maintain the roads? A large gully has been created on the north side of the road. Did you approve of this?

It would also be nice to have another access point to load boats and crafts on to the lake. The campground ramps are monopolized and get very crowded during the summer season. Is there any thoughts to another option between Vans and Eagle Canyon?

Finally, Lake Mac is a great/amazing recreational lake and it seems like more and more restrictions are being placed on the use of the lake and beaches. We would like to see that curtailed as "overreach creep" is occurring.

We appreciate the opportunity to provide comments to the board. thank you!

2019-04-06 17:34:00
Charles Deming
charlie.deming@yahoo.com
5038697703

68775 wasser rd

Rainier Oregon, 97048

I currently own property in Suttons First subdivision on the south side of lake McConaughy. What I hear you say is this boundary review will not affect the current property owners rights or values. However your map when compared to the County property maps do not seem to coincide when it comes to property lines. It would be advantageous to all (except maybe cnppid) if you would provide current property boundary lines with an overlay of your proposed property boundary changes so that property owners could see just exactly how this boundary review impacts them. I am not able to attend the public review meeting but I certainly have something to say about how these boundary changes have affected property owners in the past and I do not look upon them favorably. Which leads me to be skeptical of this boundary review BS again. My property is far enough above the high water line to not be effected except if the dam should overflow and even then I have my doubts but that information is not provided either. Because of past decisions made by cnppid regarding privately owned property around the lake and your lack of forthrightness in past decisions, I find it hard to believe that you have property owners best interests in mind during this review. I am willing to listen and offer suggestions but really have my doubts that it will make any difference. However in hopes that someone will listen I am also writing to the county as well as the appropriate agencies and legislators in the state government. I had planned on moving back to Nebraska where I grew up and building a home on this property but sometimes wonder if there will be any property left to build on by the time I am ready and after all the boundary "reviews" are complete. What a crying shame that would be.

Regards

Charlie Deming

2019-03-31 21:31:17
Kyle and Kathy Watchorn
w6outdoors@hotmail.com
3083772521

POB 385

Dalton, Ne 69131

Ever since receiving the letter proposing the new boundaries at Lake McConaughy, it has been our intention to respond to that proposal, but we have never been able to ascertain what exactly the new boundaries would be, or more importantly, what they would mean to us as property owners and/or recreational users of the lake.

Indeed, it seems there is much misinformation even among those who have attended the meetings as we have visited at length with several attendees. Some seem to feel that there will be no major changes in the ways we move around and to the beach, while on the other end of the spectrum, there are those who say that the rights of eminent domain will be utilized and our property will no longer be ours. It's our assumption that this policy falls somewhere in the middle, but we're not sure of that, either. It would be extremely helpful if your proposals would be more informative and precise at the time they are introduced, as it would save a lot of time; time which is now being spent on conjecture on what this may or may not mean to the people who own homes on or near the lake. We thank you for listening to our concerns.

2019-03-31 20:47:13
Kyle and Kathy Watchorn
w6outdoors@hotmail.com
3083772521

POB 385

Dalton, Ne 69131

Ever since receiving the letter proposing the new boundaries at Lake McConaughy, it has been our intention to respond to that proposal, but we have never been able to ascertain what exactly the new boundaries would be, or more importantly, what they would mean to us as property owners and/or recreational users of the lake.

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2019-01-02 00:28:02
Laura Jones
millironjranch2@gmail.com
9706304487

164 P.O Box

Wray, CO 80758

I would like more time to review the documents. I will contact Central tomorrow to see if the boundary review effects my property at 1451 Ogallala Beach Road.

Thanks,

Laura Jones

2019-01-01 20:10:22
Irv Miller
irv3940@gmail.com

516 16th St

Gothenburg, NE 69138

After reviewing the propose new FERC boundary, I find it funny that the lines at Johnson and McConaughy have very little change and the lines at Jeffrey have changed dramatically. My understanding was that they were trying to remove residential property from with in the FERC boundary, but yet we will have more within the boundary with this move if it is approved. I feel that this is more of a power play than any thing else. I approv of all the comments that JLDI will submit.

Irv Miller, 89 Pelican Drive

2019-01-01 16:54:32
Stephen & Trudy Dowson
tsdowson@gmail.com
3082891097

67 Mako~Ch~Mni

Ogallala, NE 69153

We have lived here at this address since 1999. At no time since we purchased this residence have we had any concerns regarding losing acreage to erosion from the lake. However, in 2004, we paid nearly $30,000 of our own money to install a protective wall in front of our property, which was permitted by Central, as a precautionary measure. Central paid nothing to assist with this protective measure. At that time, there was no erosion evident and the project boundary was at, or very near where the protective wall was built. To this day, the wall is in tact and in good shape. At no time has the lake achieved a level to reach the wall's elevation. We believe that sometime soon after the wall was completed, Central moved the project boundary nearly 50 feet further back, closer to our residence.

We were shocked at Central's notification that they intend to move this boundary once again, especially since we have already paid money out of our own pockets to have a protective wall installed, which has yet to see any wave action from the lake. Our north facing property boundary is mostly protected as it is oriented toward Fenwick Bay, which mitigates much of the erosive wave action from the larger body of water.

We do not see any need for this boundary to once again be moved, especially since this latest attempt by Central to redraw boundary lines includes much of our current residence. Why would this be necessary? At no time has anyone from Central been on our property to inspect the current boundaries for erosion nor attempted to contact us to do so.

We therefore reject any attempt by Central, or any other government entity, to redraw boundaries unnecessarily which include any more of our deeded property. Any such attempts will be vigorously defended.

2018-12-31 23:03:28
Milton Rogge
mr50807@windstream.net
4024308751

1983 Holdrege Rd

Pleasant Dale, NE, 68423

I am Milton Rogge. Holly, my wife, and I own a house on 2 lots and live and pay taxes on this lakefront property at 39 MAKO-CH-MNI SUBDIVISION on Lake McConaughy since 1997 when we purchased this home(over 20 years ago). I am a retired licensed (Nebraska E-2855) civil engineer with a major in structural now EMERITAS. I also have experience in sea wall erosion protection and river erosion protection which are totally different as along a river you are not dealing as much with determining how high a waves you will have to deal with. I have been in communications with Central about the erosion they are causing to this property for over 14 years now. Our property did start on the cliff which is 20 feet above high lake elevation of 3265.0. The following is letter I sent to Mr. Frank Vetter with Central, January 31. 2005.

Dear Mr. Vetter

First I would like to thank you for your assistance in our phone conversation September 9, 2004 in addressing the shoreline erosion in front of our property at Mako Chm Mni subdivision on Lake McConaughy. Our property is the first property east from where you put the sheet piling in front of the Dale Robert's property a couple of years ago. We have lost property similar to that property. As you explained to me Central is going to replace the soil that has eroded in front of Gary Niepoth's property and cover it with 6 inch Contech Unimat Fabriform, which has been done now. This property is on the other side of my property as we border Lake McConaughy so this will leave my property with unrestored and unprotected shoreline between these two properties that are restored and protected. According to the survey our property has lost a similar amount of bank to erosion caused by the lake.

Enclosed find a survey of our property as well as a copy of the MAKO-CH-MNI Subdivision we live in. Please regard this letter as our request to correct this problem as you have for our neighbors.

Thank you,

Milton Rogge Cell:(402-430-8751) Home:(402-761-3414)

This was Mr Frank Vetter's response February 7, 2005:

Milton Rogge
1983 Holdrege Rd
Pleasant Dale, NE 68423

RE: 39 Mako Ch Mni, Ogallala, NE 69153

Dear Milton

I received your letter, February 4, 2005 regarding your desire to have Central provide erosion control protection along your shoreline, as was provided for Gary and Dallas Niepoth in the summer of 2004. I met with Kevin Boyd, Gothenburg Division Manager today to discuss your request with him. Kevin informed me that due to budget constraints, money was not approved by the Board of Directors in the 2005 Budget to continue a similar project. However, Kevin told me Central is interested in protecting this shoreline in the future. With current drought conditions Central believes it will be several years before the lake will be back up, giving plenty of time to complete the project. Please give me a call if you have any questions. Sincerely, Frank C. Vetter, RealEstateAdministrator

Well, Central failed to live up to this agreement as nothing happened until June 15, 2011 when Frank Vetter with Central sent me a letter regarding the Corp of Engineers Permit(expires Dec 1, 2011) to place 20'+high riprap along and up to 300 feet+ of shoreline. Riprap size shall range from 6 inches to 36 inches in length and width and 4 inches to 13 inches in thickness. Mr. Vetter in his letter stated that Cental is doing the work. Well nothing ever happened here again. I still have the fancy laminated permit Central sent me to post while they were doing the work.

I stayed in touch with Kevin Boyd with Central as Mr. Vetter retired and Aug 9, 2013 he got a permit for Central to push up Lake Bed Material (which is pretty much pure sand there) along 480 feet of shoreline along our property and the neighbors, and Central did this work in the fall of 2013. The Corp of Engineers project permit description was: This site is located along the south shore of the lake, subject to wave action/erosion when the water levels are high. This has created near vertical cliffs. Over a period of time, CNPPID's land has eroded nearly to the private property boundary. CNPPID would like to protect the bank to prevent erosion of private land. The area to be protected is approximately 480 feet long. The proposed project includes pushing up lake bed material to the base of the cliff with a dozer. The material will extend about 22' up the cliff face and will widen the toe of the slope out an additional 22 feet. THE NEW SHORE LINE WILL NOT BE ARMORED. Needless to say without armor such as riprap as Central proposed in 2011, anyone would know that all this did was keep a couple of dozer operators busy a couple of weeks as most all this sand was back in the lake in a very short period of

time. In the fall of 2016 I arranged to meet Mr. Kevin Boyd again about this erosion and he confided to me that he had money appropriated to do this erosion control project hopefully with sheet pile the best solution. Obviously this did not happen. I do not know if the money appropriated got spent in closed session or what? I feel heavy-gauge Hot-rolled Z-section steel piling jetted in with water to the proper depth and anchored back to

design and to the required height for the waves involved would be a permanent solution to the erosion involved at our site instead of the light-gauge steel piling Central installed by digging out sand and placing the piling with their backhoe and operators next door to our property which appears to be failing.

It seems to me that dealing with the shoreline erosion caused by the waves that we are dealing with on this lake would necessitate a qualified design engineer qualified in seawall design, not just send out a couple of dozer operators with company dozers to push up some sand and try and scrounge up some broken concrete with rebar sticking out it to spread on it.

It appears that the project boundary review that Central has prepared for approval by FERC is overly broad and non-specific. During the multiple year time period that they have been allowed for this review they have demonstrated, in at least one case (2015 Plum Creek Canyon Reservoir boundary adjustment application and subsequent FERC approval), that boundary adjustments that add private property to the project boundary require detailed and involved approvals (NGPC, USFWS, NSHS), property owner negotiations etc. The process of obtaining FERC approval to adjust a specific portion of the project boundary did not appear to be overly burdensome for Central and was apparently amicable between Central and the private property owner. If Central intends to acquire ownership of portions of private residential properties (the proposed boundary is shown cutting through lots in the Mako-Ch-Mni subdivision) there would likely be county zoning, set back, and future building permit encumbrances, etc. on the portions of existing properties remaining under private ownership. If Central is successful in receiving FERC approval for the new project boundary as is currently proposed they will leave all current private property owners in likely PERPETUAL (judging from time it has taken to prepare this haphazard boundary review and multiple unfinished shoreline erosion prevention/mitigation projects along the shores of the Mako-Ch-Mni subdivision) limbo as to what are the ultimate intentions of Central.

2018-12-31 22:23:32
Joe Richeson
joe@gothenburgirrigation.com
3085372809

2303 Ave. L

Gothenburg, NE 69138

As a sublessee of Jeffrey Lake Development Incorporated (JLDI), I am submitting my Public Comments relating to the FERC Boundary review for Lake McConaughy, Lake Ogallala, Johnson Lake and other areas along Central's Supply Canal. I would like to thank the entities involved in this process for allowing a public comment period, and I would also like the opportunity to be involved in any future public or private meetings regarding this review.

To begin, I am in disagreement with CNPPID's (Central) recommendation to extend the FERC boundary on the east side of Jeffrey Reservoir. Per Central's '2017 Remainder of Project FERC Boundary Review Report' (Report), Central generally recommends boundary lines that are easily manageable and identifiable. JLDI has a lease with Central along parts of the east side of Jeffrey Reservoir. If any change in the boundary line were to be made, I would recommend moving the boundary to 30' from the elevation of the water, using a specific distance. In this case 30', from the elevation of the water, would meet the manageable and identifiable recommendation by Central.

According to Sheet 10, of Appendix A of the Report, I visually recognize that Central would prefer to follow boundary lines, such as roads and property lines on the east side of Jeffrey Reservoir. I would like to point out that Central is proposing NOT to follow specific boundary lines, roads or property lines, not only along the west side of Jeffrey Lake, but throughout many areas of the 76 mile long canal system.

Moving the boundary lines to 30' from the water elevation is a reasonable boundary line to meet the provisions laid out in Central's Land and Shoreline Management Plan (LSMP) for project purposes.

In my opinion, the proposed project boundary along the residential cabin lots at Jeffrey Reservoir is excessive. By moving the boundary lines, there will be added time and expense to any sublessee that wants to make improvements to their property. There will also be added time and expense to review and submit plans to Central for improvements. This added time and expense is not only a liability for a sublessee, but is also a liability for Central. Examples of these liabilities could include, but are not limited to, multiple trips to meet with engineers, contractors and representatives of Central regarding improvements, loss of time due to the permitting process for improvements that fall within the extended boundary; and just an overall nuisance that all parties involved may have to deal with.

I would also like to address the possibility of flood inundation at Jeffrey Reservoir. I was not invited to a meeting that was held on December 7th, 2018 and only have obtained knowledge of what has been told to me by representation of Central. I have not been able to obtain any written document regarding the possible flood inundation and would like additional information made public to the sublessees.

From what I have been told there is the possibility of water rising, at Jeffrey Reservoir, to an elevation of 2771.4', in less than a 9 hour period, with a Possible Maximum Precipitation (PMP) event. It has been brought to my attention that, according to the study (that I have not been able to review), water could reach living areas of cabins along Jeffrey Reservoir. My rationale for wanting to be involved with this part of the public comment period is two fold. First, I disagree with this possibility of a PMP in the Jeffrey Reservoir watershed. I have been told that the PMP would bring 30,000 CFS into Jeffrey Reservoir. I have made my living for the last 18 years working in the entire Jeffrey Reservoir watershed and do believe that there is no way possible that this large of a PMP event can occur in this watershed. I know how the canyons flow and know where the divide is between the Republican River basin and the Platte River Basin. I would like to see this PMP study to become more informed.

The second concern regarding this flood inundation to Jeffrey Reservoir is the possibility that sublessee's may be required to make modifications to their living quarters if livable parts are able to have water flow into them, at an elevation of 2771.4' or below. I would like to pubic comment on what this could mean for current sublessee's if they are required to elevate their livable structures.

Here are some additional concerns I have in regards to current sublessees needing to elevate their livable structures:

- The expense to sublessee's to elevate their properties could financially bankrupt some. For example, there are sublessee's that are retired and living at Jeffrey Reservoir. It could cost hundreds of thousands of dollars to elevate their homes. Some of these sublessee's that cannot afford this option may be forced to sell their "homes" at would could be a very low value.

- Regulation will cause devaluation of the properties if homes were required to be elevated.

- Flood Insurance could possibly be required

- According to Central's LSMP it is stated that "Central must also retain the flexibility to respond to economic growth within the region and resulting changes that may affect land and recreational use within the Project boundary". The possible expenses and devaluation of Jeffrey Reservoir properties could economically devastate the Jeffrey Reservoir and Brady area.

I would encourage Central and it stakeholders to come up with a practical solution to mitigate any concerns if Central comes up with plans to limit damages in the event a PMP occurs.

In closing, I want to thank Central for allowing us the opportunity to present comments regarding concerns, on the moving of the FERC boundary line as well as the flood inundation area. I believe, and expect, that all parties involved will make the best decisions for all of the Jeffrey Reservoir stakeholders.

Kind Regards,

Joe Richeson

2018-12-31 19:09:43
Randy Cromer
randycromer2@gmail.com
3085843696

105 S Shore Dr

Brady, NE 69123-3003

FERC Project P1417

I am a resident of Jeffrey Lake and lived here for 46 years, on property leased from CNPPID (Central). I lease from Jeffrey Lake Development (JLDI), who has the lease with CNPPID. I am opposed to the changes of the FERC Boundary being sought by CNPPID as well as the conclusions being drawn in regard to the PMF studies made of Jeffrey Reservoir, and discussed as "Flood Inundation Areas".

It is noteworthy that CNPPID submitted their proposals to the FERC in June, 2017, and did not make any attempt to formally inform any JLDI Board members of their proposals until mid-November, 2018, and then it was just a phone call to set up a meeting. No efforts were made by Central to inform the tenants at Jeffrey Lake.

No change of the FERC Boundary is needed in my opinion to enhance Shoreline Management. The Jeffrey Lake Development Lease/Agreement provides that no permanent improvements may be placed below 2764'msl without the written approval of Central. Improvements within the current FERC Boundary must be approved by Central. Central's permitting procedures prohibit residential structures closer the 30' from the shoreline. All shoreline stabilization made by tenants must be approved by CNPPID and the Corps of Engineers via permits.

Although the current FERC Boundary does in a few instances pass through existing residences, this to my knowledge has never caused any problems to Central or the tenants at Jeffrey Lake. Central makes the decision as to whether a permit is required for any proposed improvements due to the FERC Boundary via their GIS, if there is any question as to the location, a permit is required, Central staff has survey grade GPS equipment that could be used to be precise, if needed. This is routinely done now by Central staff to determine whether a proposed improvement is below 2764' msl. I am aware of no instances where this process has not worked to the satisfaction of all parties.

Moving the FERC Boundary to include all of the property Central owns, which includes all of the property leased to Jeffrey Lake Development, currently both inside the Project Boundary and outside the Project Boundary would do nothing to enhance management of the FERC Project, this land is not essential to the project. All it would do is require that both Central and the tenants at Jeffrey Lake consume more time and money for additional permits.

The CNPPID/JLDI lease agreement requires that JLDI have a permitting process for improvements on the leased area, consistent with Local, State and Federal Law, the JLDI permitting plan was approved by CNPPID and County regulators and works well. Moving the FERC Boundary would require 2 permits for the same project.

When Central's Land and Shoreline Management Plan was originally approved, the FERC asked Central to remove residential properties, as well as other land owned by Central from the Project boundary, the changes Central is proposing on the East side of Jeffrey Lake does just the opposite. If Central feels that the existing boundary needs changed in some areas, it should be no more 30' from the shoreline. This is the current setback Central has in their permitting process. Setting a new project boundary at 30' from the shoreline for the entire East side of the lake would remove most if not all of the residential structures from the FERC Project.

I am also opposed to the new proposed flood inundation boundary at Jeffrey Lake. Central has stated that this would encompass all shoreline areas below 2772' msl. At Jeffrey Lake this would place more than 50% of the existing cabins/houses in the hypothetical flood inundation zone. Central states that future new construction or reconstruction of existing structures would have to be elevated, they are unsure what remedy would be required for existing structures. They too may need to be elevated.

Central says these new regulations would need to be put in place to preserve life and property should a theoretically historic flood event occur and the lake rose 14 feet in 9 hours without advance warning.

While it is secondary to the loss of life, loss of property is a significant factor. I cannot imagine what the monetary costs would be to place in some instances, structures on stilts to get above 2772' msl. To require raising existing structures would be cost prohibitive, if even possible in many instances, making some cabins unusable. It is worth noting that most of the cabin/houses are unoccupied most of the year.

It is also impossible to determine what would happen to insurance rates or the ability to secure financing on a home in the proposed flood inundation zone. It would also be difficult to determine what impact such a designation would have on the value or resale value of the property. Implementing all of these possible new regulations would provide no appreciable benefits to Central, the FERC Project or the tenants at Jeffrey Lake.

Central discussed the concern that there could be a loss of life in a cataclysmic flood event. This would be due to Central not being able to warn people sufficiently in advance for them to avoid perishing if they were occupying cabins below 2772' msl. This is noble concern, but in my opinion not a realistic concern. There is more risk of loss of life from drowning while swimming at the lake or while driving to the lake then there is to dying from a cataclysmic storm or flood, according to the National Safety Council.

Weather forecasters today have demonstrated many times recently their ability to forecast these extreme weather events well in advance. The public is well aware before and during extreme weather events.

The possibility that people on the lake would not notice that the lake was raising extremely fast are remote. Escape from the area amounts to just moving a few feet.

In addition Central monitors the water elevation at Jeffrey Lake 24/7 via remote sensors from the Gothenburg Control Center. They are aware of the current weather, and have the ability to activate emergency plans. When they do so, the 911 center could put out emergency alerts. There are very few, if any people who visit Jeffrey Lake who do not have smart phones or access to landlines to receive emergency alerts. An alert system as simple as a few sirens could be put in place easily, and economically. Audible water detection systems are readily available, and cost less the $50 (First Alert) for 3 units. There could be one in every cabin.

Central currently has elevation limits in place for living space, with a lowest building opening of 2763.5 msl; this is almost 5 feet above the normal lake elevation, and is more than adequate. Raising it to 2772' msl, in my view is regulatory excess, be it by the FERC or CNPPID, and not warranted.

These are just a few of my concerns about Central's proposed Boundary change at Jeffrey. The proposed change infringes on the property rights of their tenants as well as those of private landowners. Has not Central and FERC heard the message. People want less regulation, not more.

Respectfully submitted

Randy Cromer

Lot 105 Jeffrey Lake

2018-12-31 18:43:16
Tom and Susan Deaver
sdeaver@hotmail.com

49 S Lakeview Rd

Brady, NE 69123

FERC Boundary Comments

We have had the privilege of owning a place on Jeffrey Lake since 1980. I have been on the JLDI board for many years. I attended the meeting on December 7th at which we were informed of the remote possibility of a “1000 year flood”. My wife has been involved in administration at local hospitals. She has been involved with many drills preparing for disasters. There has never been any mention of this type of disaster. If this was a possibility, they would have been working with local emergency agencies to plan for this type of emergency. It would never have been classified as a secret report; it just doesn’t work that way?

The reasons given are not justification for changing the boundary. The recent repeal of President Obama’s legislation that gave FERC too much control, now does not let them have the overreach that they did have.

We have worked hard to comply with the current permitting procedures that CNPPD requires, and have always worked hard to maintain a shoreline that protects the Lake. Whenever we needed a permit it has never been a problem to let us know if we were in the FERC boundary or not.

I do not believe that it is a problem to understand where the boundary is, technology is too advanced at this time.

Please do not make any changes to the boundary line. We will continue working with CNPPD to protect and maintain Jeffrey Lake

Tom Deaver

Jeffrey Lake Lot 49

2018-12-31 17:44:19
Deborah Egender
dcex3@msn.com
3032504892

Jeffrey Canyon Ranch LLC
17023 E Dorado Dr
Centennial, CO 80015

We have looked at the map showing the proposed expansion of the FERC boundary around Jeffrey Lake and the resulting inclusion of areas of our pasture land inside the FERC boundary.

The CNPPID boundary review report discloses the reasons for boundary expansion at Jeffrey Lake as being flood inundation, future erosion and shoreline management. Since our land does not include any direct shoreline access, and the only use of the land is cattle grazing, we view future erosion and shoreline management as not applicable. CNPPID owns the shoreline, you have control over it as well as the future erosion issues related to the shoreline. That leaves flood inundation. The odds of flood inundation are realistically nil. The impact of flood inundation is equally non-existent. We see no good reason to subject our land, which is adjacent to but not directly on the lake, to the potential oversight of CNPPID simply because CNPPID has determined that it could be impacted by flooding in a very worst case scenario. We are not aware of this land ever being flooded in the many years that the lake has existed. We do not believe it is a risk any reasonable person would seriously consider. We are not comforted by the assurances that we, as landowners, are not giving up any rights by having areas of our land fall within the FERC boundary. We are more inclined to argue that including any of our land inside the FERC boundary is an overreach by CNPPID and not supported by any of the purposes enumerated in the boundary report related to CNPPID's responsibilities for Jeffrey Lake and its hydroelectric generating activity. We do not see any good reason to subject any of our land to the oversight of CNPPID. Our land is already subject to oversight by the county and its land use and permitting processes and we believe that is adequate to protect CNPPID and its interests in Jeffrey Lake.

Jeffrey Canyon Ranch LLC

2018-12-31 16:34:21
Johnny Ramsey
johnnyrayramsey24@gmail.com
3037266109

1646 Valentia Street

Denber, CO 80220

I am a very concerned personal property owner that is affected by this proposed line on leased land. I never imagined that I would be blessed enough to own my own place but three years ago I was fortunate to have my dream come true. This change will take that all away from me. I request along with others that you keep the line where it does not impact my neighbors, my friends, my family, and me. This will take away rights and accomplished dreams of many. I hope that you will keep in mind all of these individuals when making a decision. Their happiness should mean a lot more to you than the intention of this proposed line.

2018-12-31 16:32:01
Andrea Knotwell
aknotwell@msn.com
3034724276

1646 Valentia Street

Denver, CO 8022”

I have been coming here all of my life and to say the least, this lake means everything to me. Therefore I am concerned as to what this will do to our residents, business, and community overall. The proposed line negatively impacts too many of our residents and businesses. Makes you wonder how many will just give up and move in, leaving this lake hopeless. It took a long time to get this lake, businesses, and community to where it is now and let’s not forget this. Let’s not put this at risk please.

2018-12-31 16:28:33
Travis Wright
travisjwright@gmail.com
3087466484

42369 Road 750

Elwood, NE 68937

Hello, I am an adjacent landowner who has a home on the south end of Plum Creek Canyon. How the boundary was adjusted in and around the private dwellings and lands where our home is situated seems to run counter to the criteria you set forth in your letter to FERC. The new proposed boundary is at a considerably higher elevation. Without explanation, the proposed boundary in this area at the higher elevation seems to serve no purpose other than to further infringe on private lands, something that you state in your letter to FERC that you have tried to avoid.

Thank you for your consideration regarding these comments. I look forward to having the opportunity to hopefully speak and work with Central regarding the the placement of the newly proposed boundary as it relates to and affects our home.

Kind regards

2018-12-31 15:57:28
Larry Baumann
lbaum@ksblawoffice.com
3085327110

221 West 2nd St.

North Platte, Nebraska 69103-1669

On behalf of Bret and Deb Baxter we object to the latest FERC boundaries as they cover our access road. We believe the FERC line should actually be north of our road. We further believe the only risk is because of the sediment buildup just behind the dam which has reduced the depth from about 50 feet to 10 to 15 feet. That is displacing a significant amount of water. We believe with proper dredging and erosion control the need for the latest FERC line is gone. We have sent our comments to the Federal Energy Regulatory Commission also(FERC). We further believe the new line west of the western shore of the reservoir is unnecessary.

2018-12-31 15:19:38
Stephen Isom
isoma@vail.net
9703906261

PO Box 9

Eagle, Colorado 81631

These comments are in regard to the impact of the Proposed FERC Boundary on the property known as The Dunes at Lake McConaughy located in T15N R39W and T15N 38W. The new boundary will definitely impact some of the private property in The Dunes as shown in Figure 4B - Area 4 (West). It is agreed that shoreline protection is necessary and additional land is needed in areas of excessive wave erosion. I had a recent discussion with Jim Brown about the status of a land lease with Central for a golf course on part of the land between The Dunes and the Lake. The lease was never finalized. The owners of The Dunes have decided to pursue a new application for a land lease with Central in the near future. I believe a golf course along this area of the shoreline will help stabilize the dunes and beach from future erosion while protecting the habitat for nesting terns and plovers.

The Dunes project looks forward to working with Central on a boundary adjustment and enhancing the recreational uses around Lake McConaughy.

2018-12-31 14:46:25
John Hecox
john@hecoxfarms.com

Gothenburg, NE 69138

In no way does myself along with many others feel moving the “Proposed FERC line” at Jeffrey Lake back to road would improve the “Continuity” of operations for Centrals Hydroelectric project. Yet would most likely “Hinder” continuity of operations.

Here are some reasons why. -More needless permitting, -Unnecessary paperwork and man power. - Upset property owners, Thus will become more likely not to work fluidly with the project, -Possible unnecessary loss of homes, -Reduction in home values. - Unnecessary legal battles, -Loss in efficiency and vulnerability to unnecessary regulations while trying to do simple maintenance and or improvements to property. The list could go on and on.

History shows that in the past, there has not been a hindrance to the Hydroelectric project where the FERC line is now! Understanding there are some areas where the FERC line needs to be adjusted but not to the “Extreme” that has been proposed by Central!

In my opinion, a simple 30 foot setback from the “normal high operating water mark” would be more than sufficient for a new proposed FERC line! It is a simple and definitive solution which can be easily identifiable!

Sincerely,

John Hecox

Jeffrey Lake Cabin 80

2018-12-31 13:40:14
Donna Ackerman
jd1125@cozadtel.net

12 Gatewood Dr

Cozad, NE 69130

I have read the recommendations to change the boundaries for the FERC at Jeffrey Lake and can see no necessity or reason to revise these boundaries. I am in agreement with the findings of the Lake Board and support the Board completely.

Donna Ackerman Lo#106 Jeffrey Lake

2018-12-31 13:29:52
Art and Susan Harter
artharter3@msn.com

7002 S Himalaya Way

Centennial, CO 80016

There are no reasons or data that justifies CNPPID to make any FERQ boundary changes now or in the future. Our property allows full access to CNPPID to Jeffery Reservoir and the current FERC boundary that has been in existence for decades. CNPPID has stated that there are no issues of any significance with FERC boundaries nor that the movement would warrant an improvement or betterment of boundaries in the nature of manageable or identifiable. We, as long time JLDI residents, have always complied with the CNPPID and the FERC boundary.

In regards to CNPPID's comments on a 1000-year we direct CNPPID to the studies from Mead and Hunt to the true affects if this highly unlikely flood would happen. If CNPPID is truly concerned of this occurring, we are suggesting that they modify "their" existing facilities to absorb and mitigate the theoretical flooding possibility. Drawing a line on a map and changing a boundary does not reduce the liability of flooding.

Our position, as residents of JLDI, is that the FERC boundary line as it's currently situated should not be changed nor relocated.

Art & Susan Harter

41 S. Lakeview Rd.

2018-12-31 13:14:50
Courtney and Sharon Crawford
crawfords62@outlook.com

5223 Pawnee Dr

Greeley, CO 80634

Courtney and Sharon Crawford

Cabin #32, Jeffrey Lake

After reviewing CNPPID's proposed FERC boundary expansion, we strongly oppose the FERC boundary changes. The current FERC boundary line on our lot #32 is more than adequate to address the areas of concern identified at the December 7th, 2018 meeting. Shoreline management including erosion and stability were recently upgraded and approved by CNPPID on lot #32 to better comply with Army Corp of Engineers requirements for shoreline erosion.

Since CNPPID stated at the meeting that there are no significant FERC boundary issues and moving the boundaries will not necessarily improve CNPPID's ability to identify or manage boundaries, and since 21st century GPS technology can easily and accurately locate current boundaries, we are against any recommendation to alter existing FERC lines on lot #32.

Another area of concern mentioned by CNPPID was there intent to exclude residential uses within the FERC boundaries. Extending the FERC boundaries to the access roads along Jeffrey Lake will actually include more residential areas rather than excluding them. Adding these residential areas inside the FERC line will result in more "red tape", employee time and additional costs and is unnecessary.

It also appears that the proposed FERC boundary changes will encroach on our agricultural neighbors on the east side of Jeffrey Lake. Requiring ranchers to obtain permits in order to maintain fences and gates for livestock containment is ridiculous and unnecessary and is also contrary to your identified areas of concern as presented at the December 7th meeting.

In summary, we strongly oppose the FERC boundary changes as the current boundary line is more than adequate with no significant needs to relocate. We have tried to cooperate fully with CNPPID's requests for shoreline management and improvement on the parcel of land included in lot #32. Proposals such as this one seem to be aimed at causing a rift between Jeffery lake residents and CNPPID. There are probably more imminent areas of concern for CNPPID such as erosion control on the west shoreline and the obvious need for silt control within the reservoir. Relocating established, identifiable FERC line boundaries would seem to be unnecessary and fairly low on the priority list.

We have enjoyed over ten summers of family fun and recreation at Jeffery Lake, building memories that are irreplaceable. We appreciate having input on this matter and will continue to cooperate and work with reasonable requests from CNPPID.

2018-12-31 13:04:50
Dave Mann
djmann@nebnet.net

63 S Lakeview Rd

Brady, NE 69123

We have been year round homeowners at Jeffrey Lake since March 1973. We see no merit for changing the FERC boundaries.

We have maintained and upgraded our seawall through the years, at our own expense, as has every other lease holder. This was to

comply with the Army Corp of Engineers requirements for shoreline erosion. This was done in compliance and satisfaction to CNPPID.

With the information we received regarding Manageable and Identifiable Boundaries, you, CNPPID stated that there were NO issues

of any significance with existing FERC boundaries nor that movement would allow for ANY improvement or betterment of boundaries.

If there are NO issues and NO improvement or betterment of boundaries, there is NO purpose to change the existing FERC boundary.

With that said, we are in total agreement with JLDI and MWRC that the FERC boundary should not be changed or relocated.

Dave and Jody Mann

63 South Lakeview Rd

Brady, NE 69123

2018-12-31 01:54:25
Greg Steward
greg_steward@hotmail.com
3038183696

119 Albees 3

Lewellen, Nebraska 69147

The proposed boundary line far exceeds past where it needs to. Our property is included and we are approximately 60 feet in elevation higher than the maximum capacity level. Our property is also separated from the water by a road and two lots (one of which has a house on it). Our property line is at least a hundred and fifty feet back from the closest bank. The property owner has done a lot of work to stop the erosion that has worked well. It states on the website that the purpose of this revision is to obtain eroding ground for maintenance. I have lived here my entire life and nothing has been done to control erosion so far. The only steps taken to help with erosion has been by the lake front land owners at their expense. I don't think that obtaining more land is the best solution or going to help with any issues there may be.

2018-12-30 23:11:20
Elton Nolde
noldeelton@hotmail.com
3082809800

2208 Westridge Dr.

Ogallala, 69153

I am commenting on section 4 primarily the property associated with The Dunes proposed golf course. I believe that the proposed boundary changes are not needed to help control erosion if the erosion control is authorized to be controlled by the developer of the property. The erosion can be stopped by planting vegetation, primarily a combination of warm and cool season grasses. There is one area where rip raff may be necessary but should not be a problem and can be installed. The access of the public driving on the hillsides will need to be fenced off no matter where the final boundary is located to keep the sand from blowing away. The public has been restricted on the east facing hillside at Otter Creek Bay and has made big improvements on the sandy soil eroding. An agreement with the developer can be made to address all of CPPID concerns. The access could be limited to the beach through the property at designated locations helping control erosion and damage to endangered species nesting grounds. Any future concerns about the beach and erosion could also be directed to the development representative representing all the future land owners instead of talking to each of them individually. This development will be create a big economic impact to the area for construction and into the future. All parties involved should be able to be satisfied and this could become a model for future development of the lakeshore properties in the future.

Thank You,

Elton Nolde

2018-12-30 17:35:45
Jeffrey Lake Development, Inc.
jldi.sec@gmail.com

19 Lakeview Rd

Brady, NE 69123

At a meeting held in Gothenburg, Nebraska, at the CNPPID offices on Dec 7th, 2018, the matter of moving the FERC boundary was discussed between the Jeffrey Lake Development Incorporated (JLDI) and CNPPID representatives. While no public notice went out, members of JLDI who received notice, brought other impacted parties such as the President of the Midway Wildlife and Recreation Club, Inc (MWRC) along with property owners on the north and west sides of Jeffrey Reservoir. At this meeting, CNPPID identified the following areas:

- Project Works
- Operations and Maintenance Access
- Shoreline Erosion and Stability
- Flood Inundation Areas
- Special Environmental and Cultural Resources
- Public Recreation
- Shoreline Management
- Project Security
- Manageable and Identifiable Boundaries
- No Generic Minimum Buffers
- Exclusion of Residential and Agricultural Uses

Yet no information presented at that meeting, with respect to any of these factors, justify any FERC boundary change. The position of the Boards of the JLDI, Inc and MWRC, Inc. is that the FERC boundary line as it's currently situated should not be changed nor relocated. If any change should be made, the line should be moved to an elevation which corresponds to a 30' distance from the shoreline on each of the lakes to exclude residential properties and provide CNPPID with the shoreline management required and referenced in previous FERC filings.

With respect to Operations and Maintenance Access, Shoreline Erosion and Stability, and Shoreline Management, recently 35 lessees under JLDI and with CNPPID direction upgraded their seawalls to better comply with Army Corp of Engineers (ACE) requirements for shoreline erosion. All work was completed to the satisfaction of all parties involved. The effort was directed and complied with CNPPID and ACE without FERC involvement. At the meeting, CNPPID personnel offered no explanation as to why existing FERC boundaries inhibited their ability to manage the shoreline. Further, the current lease between CNPPID and JPDI, and CNPPID and MWRC covers extensive shoreline management terms and uses.

No Special Environmental and Cultural Resources have been identified at Jeffrey Reservoir nor along the Plum Creek Canyon where the MWRC, Inc has lessees.

With respect to Manageable and Identifiable Boundaries, CNPPID stated at the meeting that there were no issues of any significance with existing FERC boundaries nor that movement would allow for an improvement or betterment of boundaries in the nature of manageable or identifiable. Long time JLDI residents are unaware of any instances where there was a serious disagreement or dispute with respect to location of any proposed improvement either inside or outside the existing FERC boundary. CNPPID, JLDI, and the cabin owners are unaware of any FERC boundary line disagreement. However, if CNPPID believes there is disagreement regarding existing FERC lines, then a means to ensure accuracy is to use GPS RTK. GPS Real-Time Kinetics (RTK) with a locally available base station and hand-held units utilize differential correction signals to provide sub-inch accuracy to the measurement of the FERC line. This would be more accurate than using GIS measurements and Google Earth imagery. As Jeffrey Reservoir and Plum Creek is surrounded by Farm Land, many of which have existing base stations within a mile, this is a very viable and low-cost solution to any inaccuracies or disagreements which might occur. And while CNPPID employees at the meeting stated they required to move the boundary so it is not in the water in some instances, that is a simply matter of moving the boundary to a 30' from the water elevation.

With respect to exclusion of residential and agricultural uses, the proposed new boundary actually includes more residences and agricultural property inside of the FERC boundary rather than moving them out. This is contrary to the letter addressed to CNPPID on Nov. 6th, 2000 from FERC regarding the recently filed CNPPID LMSP requesting in paragraph 14 that "The LMSP shows that there are many areas of private residential development, with long term leases from CNPPID, in the Project boundary. In general, the Commission asks licensees to remove such development when not needed for Project purposes." It goes on to ask CNPPID to provide a schedule for removing private residential development, to the extent possible, in making needed changes to the Project boundary. Rather than removing residential property, the new requested FERC boundary changes encompasses the vast majority of residential property around Jeffrey Reservoir and Plum Creek. Adding additional residential areas not currently inside the FERC boundary would simply add paperwork and staff time for all parties involved (CNPPID, JLDI and MWRC) along with all subleases with respect to permitting procedures, applications, forms, approvals, site visits etc. with no positive outcome but rather an increased cost. It was also stated at the meeting that lessees under the JLDI and MWRC leases would be treated differently than the deeded property owners on the same lakes by applying the additional permitting processes and

procedures would apply only to the lessees and not to the deeded property owners. That denies fair and equal treatment in terms of potential application of certain procedures with respect to the FERC boundary.

One of the primary subjects of discussion at the Dec 7th meeting was regarding flood inundation. Comments were made by CNPPID personnel that meeting a 1000-year flood was the subject of a 2012 study that residents could not see nor read due to the CEII designation. However, residents were able to acquire and read a Mead and Hunt study from June 18th, 2010 regarding Jeffrey Lake Inflow Design Flood Study where it indicates the failure of the dam would result in an incremental rise of 2' on downstream structures rather than the 14' referenced in the meeting. Even with all the unlikely scenarios, Mead & Hunt stated "Results of the dam failure analysis show that all structures below the dam experience an incremental rise of two feet or less. Mead and Hunt concluded that the IDF for Jeffrey Reservoir is equal to 10,725 cfs and that failure during the IDF does not present a hazard to human life or cause significant property damage." It should be noted that FEMA classifies all Jeffrey and Midway shoreline as Zone X which are " areas that have a 0.2% probability of flooding every year (also known as the "500-year floodplain")." Claiming a rise of 14' in 9 hours is contrary to what FEMA decides and defines the area as. CNPPID employees at the meeting stated that a sudden or rapid rise of water would result in unplanned or emergency operations in excess of normal operating levels specifically for residential properties in the area. Yet with current technology, a siren or reverse-911 system would more than adequately handle such an emergency, should it ever occur. The probability of being killed by a lightning strike is higher than this "proposed" situation. And while CNPPID employees claimed that they were concerned about the potential liability regarding loss of life or personal injury, there has not been a single case to bolster that claim nor was CNPPID able to provide any examples nor basis for that statement.

In closing, JLDI and MWRC are in unanimous agreement that this boundary change is unnecessary. At no time, has any CNPPID employees provided information which with respect to any of these factors, justify any FERC boundary change. The position of the Boards of the JLDI, Inc and MWRC, Inc. is that the FERC boundary line as it's currently situated should not be changed nor relocated.

Respectfully submitted

Jeffrey Lake Development, Inc., and Midway Wildlife and Recreation Club, Inc.

2018-12-30 15:36:24
Jeff Wightman
jeffwightman@yahoo.com
3083251689

911 N. Grant Street

Lexington, NE 68850

I am concerned as to the FERC boundary change as it relates to the two adjoining Wightman properties at Plum Creek Canyon. The north line cuts right through my house, and the moving of this line does not appear to be materially related to advancing any of the stated goals of the new boundaries. Our house is far back from the water and at a very high elevation in relation to many of the other houses. The previous boundary would appear to meet all of your goals already, as to that north line. It appears there was a general moving of the boundary inland, even when the previous boundary would have met the stated goals.

I also generally object to the encroachment of boundary line as it relates to both Wightman properties, as it seems to be further inland than the line in similar privately owned lots in the area, particularly the Plum Paradise lots. This is particularly strange as the new boundary on the Wightman lots is at a much higher elevation than it is on those other lots. There is no good reason to "square off" the line from the previous triangle, as the shoreline continues to follow the triangle of the previous boundary.

I would welcome the opportunity to discuss this with someone from CNPPID, so that we could resolve these matters. Thank you.

2018-12-30 15:12:21
Jeff Canfield
jkc19307@msn.com

19307 Cty Rd Q

Fort Morgan, CO 80701

To Whom it may concern:

In my opinion, there will be no net benefit or improvement as a result of raising the FERC line definition, other than allowing Central to increase their control

The lease holders of Jeffrey Lake would want and hope for nothing more than sustaining, improving, and protecting the lake and boundaries of our charge as participants in one of Nebraska's great public works projects. We would hope the entities involved understand and appreciate the efforts made over the years by lease holders to maintain this resource for current and future generations.

Raising the level of control by Central, et al, will have no appreciable positive effect on the operations, effectiveness, of perpetuation of Jeffrey Lake. To the contrary, the cumbersome and involved methodology through which government acts and reacts can and has been proven to be detrimental and destructive to many precious areas throughout our nation. Repeatedly, private landowners and private controls have been proven most effective as the residents have a direct and emotional connection to the land and resource.

This proposal is about control, not about preserving the resource or improving it.

Thank you, Jeff and Sara Canfield, cabin #91, Jeffrey Lake

2018-12-30 14:36:10
Becky Cudzilo
bcudzilo@nebnet.net

99 Pelican Dr

Brady, NE 69123

As a person who lives at Jeffrey Reservoir full-time, I would like to comment on the new FERC boundary proposal for my property, 99 Pelican Drive. I have one of the lowest in elevation lots on Jeffrey Reservoir. The current FERC boundary goes through a portion of my house but the new proposed line would encompass my whole property. Please see the attached picture of my house (red garage) and the old (yellow) and new (red dashed) proposed FERC line. I believe encompassing my whole 3 acres along with all the structures on my property within the FERC line is contrary to FERC's request to reduce the amount of residential property within the FERC boundary, and provides no additional benefit to FERC nor CNPPID. No issues with the current boundary have been identified to me nor any of my neighbors.

In addition, for ease of use, the current FERC boundary could be moved to a fixed elevation such as 2762' (high water mark + 2 feet) thus reducing the amount of residential property within the FERC zone. This last year a major effort was accomplished along the east residential side providing higher and Army Corp of Engineers compliant seawalls resulting in better erosion and flood control. FEMA does not consider any part of Jeffrey Reservoir to be within a risk zone requiring flood insurance and the only flooding of my property has occurred when CNPPID has not controlled the water flow due to ice in the check points or in the hydro-plant. These situations have caused the Reservoir to rise up to 2 feet over the high water mark. These are unusual situations due to severe ice on the Reservoir. However, even with this 2 foot rise, water has only has reached ~30 feet from the shoreline which is well within CNPPID control already.

CNPPID makes the case about what happens if the dam breaches and water rises very quickly in the reservoir. However, looking at the Mead & Hunt 2010 study of Jeffrey reservoir, the worst case scenario would not impact the residents of Jeffrey Reservoir. Any breaching of the dam would have the majority of the water running downhill to the north onto farmland as that is the lowest elevation at the dam and not towards the eastern residential community.

In closing, CNPPID is also responsible to invite all public comment on this change to the FERC line yet no notifications have been received by all residents of Jeffrey Reservoir. One private meeting was held but the only invitees were the Jeffrey Lake Development Incorporated Association and not all residents. Additional public comment needs to be solicited to better understand all the impacts of including all residential property within the FERC boundary here at Jeffrey Reservoir.

Respectfully,

Mary E. Cudzilo

2018-12-30 13:57:32
Ted Rowan
ted@huskers70.com

5 Lakeview Rd

Brady, NE 69123

FERC Boundary Comments

We have owned a cabin at Jeffrey Lake for 27 years. When we purchased it there was what could best be described as a screened in porch on the lot. Our improvements are located at a height that clearly exceeds 2772' msl and well over 12 ft above the high-water mark of 2760' msl. There are 7 cabins in our cove and all, but one is at a lower elevation than ours, yet ours is the only lot that is entirely in the FERC boundary, the inconstancy is mind boggling. We have been making improvements to the lot for most of those 27 years. Every improvement made requires us to go through the permit process of CNPPID regardless of how small the project is. Our lease requires JLDI lessees to follow a permitting process that is consistent with Local, State and Federal Law, that works well for 90+% of all improvements at Jeffrey Lake. Our process is more time consuming for Central, myself and contractors doing the improvements. I know it would be an additional burden on the lessees not in the FERC boundary to have their total lot space included in the FERC boundary. The ONLY purpose of having the boundary moved to the point of the roads surrounding ALL the improvements at Jeffrey Lake is CNPPID control and pressure on the leasees. There could be no other purpose. Our lease with Central currently provides that we maintain our shoreline and properties.

Recently CNNPID received permission to raise the lake level to a maximum of 2760' msl. This caused severe stress to the sea walls of many JLDI Association members lots. The high-water mark had consistently been around 2758' for nearly 75 years. Were we happy about it? Definitely not. But, with the cooperation of JLDI and the staff at CNPPID, up to and exceeding 50 lot owners spent millions of dollars improving their sea walls, with CNPPID and the Army Corp of Engineers approved rip wrap retaining walls. JLDI's Association Members are doing all in their power to maintain their improvements and shoreline.

I did not attend the meeting held at CNPPID offices in Gothenburg, NE on 12/7/18 where much of this was discussed, including the flood inundation comments made by Central concerning the fears of a 1000-yr flood. In my opinion most of those comments and fears are not worthy of comment. Those fears could be addressed in so many ways other than requiring our improvements to be placed on stilts. But it is another reason we would not want the FERC boundary to be moved to the roads surrounding the improvements made to the leased property owned by CNPPID.

In summary if there are any movements to be made on the current boundary line it should be moved closer to the well-maintained shoreline of the JLDI lease. We must currently get Central permits for any improvement inside the FERC boundary or 30 ft from the shoreline and or at a level of 2764' msl or below. That would seem to be the best place to put the new FERC boundary (30 ft from the shoreline and or 2764' msl or below). Granted, we are commenting on only on JLDI leased lots regarding the proposed boundary, but we do think that is where the boundary line belongs on JLDI leased land. The modern GPS technology is more than adequate to determine where that line on any property located within our lease with CNPPID.

Ted and Linda Rowan

Cabin # 5

2018-12-30 13:53:15
Paul and Kathleen Stubbe
kathleenstubbe@live.com

19 Lakeview Rd

Brady, NE 69123

As a JLDI board member and a leaseholder at Jeffrey Lake I attended the meeting on December 7th, at which Central employees, Mike Drain and Jim Brown, tried to explain why the FERC Boundary line needed to be moved. I saw it could be moved where it was in the water, this could be accomplished by following a line which is 30 feet back from the existing shoreline of any lake and it would provide Central with the “Shoreline management” referenced in previous FERC Filings.

As a board member I am not aware of any Jeffrey Lake leaseholder objecting too much to the current boundary and getting the proper permits when needed. I also would not object to small markers on my lot showing the FERC line, so Central employees could find it if their GPS did not work.

There was a lot of talk about the “1000 year flood”, that it could come in the middle of the night. With the modern weather forecasting I don’t think this would be a surprise event, also some kind of siren warning system could be installed.

Kathleen Stubbe

2018-12-30 13:46:50
Glenn Gustafson
GLENN.GUSTAFSON@d11.org

827 Fuller Rd

Colorado Springs, CO 80920

To Whom it may concern:

Thank you for the opportunity to comment on CNPPID's proposal to move the FERC boundary back, basically back to the road.

While it may seem that this would help to preserve the area covered by the FERC boundary, the practical implications are that this change means that CNPPID will be allowed to exhibit unreasonable power and control over leaseholders regarding all matters related to the property since all/most properties will basically be below the FERC line.

To summarize the reasons that this change is not a good idea are as follows:

· Unreasonable and unnecessary control that removes all flexibility from the leaseholder

· The FERC line would be higher in elevation than the dam at Jeffrey Lake which means that most controls at the new elevation are unnecessary

· Opens the door for CNPPID to charge unreasonable and unnecessary fees for minor leasehold improvements

· Opens the door for CNPPID to unreasonably and unnecessarily disallow leasehold improvements

· Previous history has demonstrated CNPPID's disregard for leaseholders by arbitrarily raising and lowering lake levels without notification

Thank you for the opportunity to provide input on this extremely important matter.

Respectfully,

Glenn & Melody Gustafson

Jeffrey Lake #92

2018-12-29 19:09:38
Al Patterson
dpatterson060@gmail.com
3083552011

7 Albee's 2

Lewellen, Ne 69147

We have lived here 35 years, we owned Al and Dee's for 22 years. We purchased 1/2 of lot 2, lot 3 and lot 4 Lakeshore Sub and had planned on building our retirement home there but unfortunately we have lost at least 100 ft per lot due to erosion, that's a lot of lakefront property. We are open to suggestions!!!!!!

2018-12-29 18:10:38
James & Jo Lynn Blackwell
pawlet@comcast.net
7202516684

10181 Mountain Maple Drive

Highlands Ranch, Colorado 80129

My wife and I wanted to provide comments in response to the proposed FERC Project Boundary at Lake McConaughy.

We have built a retirement home located in Albees 5th subdivision on the north side of the lake. Our home is located on a bluff approximately 60 feet above the level of the lake when it is considered 100% full (3266 feet) as defined by CNPPID. The elevation of the base of the bluff on which our home sits is approximately 3270 feet which is approximately 5 feet above the 100% full capacity level. Thus the level of the water would not come in contact with the base of our bank if the capacity of the lake is maintained at or below 100%. In the very unlikely event that the level of the lake rises above this level, the overflow protections built into the infrastructure of the reservoir would only allow the water level to rise partway up onto our bank and it would never come even close to our home.

The new proposed boundary goes right through the middle of our home. This does not seem practicable or logical, therefore we would recommend that the proposed boundary be moved to follow the lower edge of the bank where the bank meets the lake bed land located south of our home. This proposed change would essentially move the existing (old) boundary approximately 50 feet to the north. Additionally, this would be consistent with the FERC regulations which state that a boundary must be located no more than 200 feet from the exterior margin of the reservoir. Furthermore, moving the new boundary to the south of our home will ensure that our property value and future resale value and no affected. Rationale for this recommendation is provided below.

It is our understanding that the purpose of the new proposed boundary is for erosion control and environmental controls. We fully understand the water erosion can occur when water is at the level which comes in contact with the lower portion of the bank. In our case, the water level of the lake has not risen to the level which comes in contract with our bank. It has come close, but has not eroded our bank. CNPPID data shows that the lake rarely reaches the 100% capacity level and when it does it does not maintain that level for any appreciable length of time. We have owned our property for over 20 years and during that time have seen virtually no erosion to our bank. This is primarily due to our diligence in seeding the soil with vegetation to hold the soil in place, ensuring people stay off the bank, and protecting the base of the hill with dead trees which are stacked approximately 4 to 5 feet high and approximately 3 to 4 feet deep, which would block the water from the base of our bank if the lake ever exceeds 100% capacity.

We trust that you will take our recommendation under consideration. We are available at your convenience to meet with you on our land so that you can fully appreciate the conservation steps we have taken to protect the land from erosion. Our contact information is provided below:

Email: pawlet@comcast.net

Cell Phones: (720) 251-6684

(720) 277-6411

Thank you,

Jim and Jo Lynn Blackwell

2018-12-29 13:19:19
Mitch Rickett
hogridermwr@yahoo.com

21 Lakeview Rd

Brady, NE 69123

I'm opposed to any change in the FERC boundary. When I moved to Jeffrey Lake in 1982 the boundary was 30 feet back from the shore line, now it's across the front of my house. With all the improvements the leaseholders have made to the shore line, before 2016 and afterwards when Central raised the level of the lake, to stabilize the banks there should be no need to move the FERC line on the east side of the lake. In light of all the improvements the FERC boundary should be moved back to 30 feet from the edge of the lake. Mitchel Rickett

2018-12-29 13:14:57
Mark Straub
heystraub@gmail.com

17802 Sawgrass Circle

Omaha, Ne 68136

Comments of Mark Straub, Cabin #40.

The application does not address fully why this is required now for the shoreline adjacent to the cabins on Jeffrey Lake. CNPPID already has purview over sea walls and shoreline mitigation. These structures are stalwart and minimize erosion on the cabin owner adjacent lake shore. The west side of Jeffrey Lake is a different issue with erosion caused by boat wave action and exacerbated by sometimes high lake levels recently.

What changes does CNPPID see as required that prompt the need to expand the shoreline boundaries? There is not enough information provided as to the ramifications to cabin owners of what this change implies. What potential changes does CNPPID contemplate and who pays for any required changes? Surely CNPPID has something in mind but does not choose to provide this information.

I would say cabin owners' interests are aligned with CNPPID in their desire to minimize erosion and have in the past have participated in shoreline mitigation practices and have attempted other mitigation attempts but these were disallowed. I am also worried that CNPPID will use a new boundary as harassment given past history of lawsuits between Jeffrey cabin owners and CNPPID. All of this is why more detail is needed.

Respectfully, Mark Straub

2018-12-29 13:10:01
Steve Potter
pstephenpotter@gmail.com

PO Box 348

Gothenburg, NE 69138

Subject: To who this concerns .

I have been on JEFFERY lake since I was born in 1944 when we had a cabin on the old 96 ranch on the south west cove of the lake ! That use was terminated by giving notice to 96 ranches ! Central then gave us two leases lots 61 and 62 and the bridge planks to rip rap all the shore line! Central was very coropative and helped us ! It wasn't untill I sold my lot 62 and got lot 4 that all the rules and regulations started to be imposed by central ! Everyone was allowed to construct and improve as they desired! Now we as cabin owners have for years constructed and followed the rules imposed by central and the existing FERK boundary's! I see absolutely no reason after years of compliance and construction of structures and maintaining the shorelines to change the FERC line . I attended the public meeting at central and heard nothing that would justify any modification for shoreline management that can't be done under current set lines and regulations ! I have read Mr Cromer's comments and concur with everything he has very clearly laid out!

2018-12-29 13:02:48
Deborah and David Egender
dcex3@msn.com

17023 E Dorado Dr

Centennial CO, 80015

We have looked at the map showing the proposed expansion of the FERC boundary around Jeffrey Lake and the resulting inclusion of the entire parcel our cabin occupies inside the FERC boundary.

CNPPID's boundary review report says their view is that our cabin lot cannot reasonably be excluded from the boundary. We see no reasonable reason for the inclusion of our entire lot inside the boundary. Our shoreline is already subject to FERC rules, being inside the current FERC boundary. It is lined with riprap against a seawall, with grass lawn and other ground cover surrounding our cabin. Extending the boundary to cover the remaining area of our lot does not add any advantage to CNPPID's control over the shoreline, nor does it circumvent any supposed risk of additional future erosion. As to flood inundation, that risk is so low as to be realistically none existent. We do see serious disadvantages in that we would be ceding control of our entire lot to the CNPPID permitting process if we ever chose to make changes on the part of the lot that is not currently within the FERC boundary. This overreach by CNPPID seems more of an attempt be CNPPID to place us in a position of having to deal with their permitting and inspection process for any future improvements we might consider, rather than a response by them to their responsibility to take care of Jeffrey Lake related to their hydroelectric generating activity. If we want to build a garage or boat storage structure on our lot out near the road, we sincerely do not feel like we should have to ask permission from CNPPID and be subjected to the additional time and expense that would entail, if we would be allowed to do it at all.

CNPPID's mission here is supposedly to take care of the lake, including the recreational activities related to the lake. Expanding the FERC boundary will not enhance CNPPID's ability to take care of its responsibilities over and above what the current FERC boundary allows. Letting the lake fill with sediment to the point where boats cannot navigate areas of the lake and water storage capability is diminished seems more of a pressing problem than any impact to the lake originating from our cabin lot. It is no secret that CNPPID and the cabin owners at Jeffrey Lake have a contentious relationship. The proposal to include our entire lot within the FERC boundary seems more a tactical move by CNPPID aimed at the cabin lease holders than a necessary, reasonable response to CNPPID's responsibility under its agreement with FERC. Expanding the FERC boundary will not enhance CNPPID's ability to take care of its responsibilities related to the lake any more than the current FERC boundary allows.

2018-12-29 12:55:08
Dave Bender
dave@bendersales.com

P.O. Box 3314

Englewood, CO 80155

We have been a homeowner at Jeffrey lake now for 16 years now. At no time has the FERC boundary line ever been an issue with us or anyone that we know at Jeffrey. This seems to be another way for them to make us spend more money for no reason.

We recently completed a $25,000 sea wall project for them, so I would think the new boundary line should be moved to our new shoreline, as that would be easy for them to control. Otherwise, I am fine leaving it as is, seeing no issue moving forward.

I am totally against moving it to our interior roads and having no apparent reason to do that except spend more money!!

Thanks for letting us voice our opinions too!!

Dave Bender

2018-12-29 10:44:56
Joe S Wahlgren Wahlgren
wahlgrenfarms@gmail.com
3085290213

21138 S Wahlgren Rd

Brady, Nebraska 69123

We farm along the supply canal for many miles. I live within 300 feet of it. We have always recognized centrals right to access, maintain, and inspect the canal. We are suggesting an edit of the proposed ferc line on section 35-12-27, or Sheet 11 of your review. The line was drawn around a "high bank" that was spoil from the canals origion. This high bank has since been hauled away, yet the step or jog in the line is still evident.

We installed a pivot point approximately 55 feet from the bank, and approximately 140 feet from the center of the canal. It has been in place for over 10 years. The spoil or high bank was hauled away for an interstate 80 project in the early 1990's.

We have a great relationship with all of central's crews, and we recognize their need for access. This installation has not and will not limit this access.

We would request a line be drawn at the edge of our pivot pad for a new FERC line.

Thankyou for considering our suggestion.

2018-12-28 19:54:39
Andrew Weaver
pweaver@excell-llc.com
9706303930

34467 county Road HH.5

Wray, CO 80758

Concerning Area 3:

We have tried to resolve the boundary issue with the Clear Creek Wildlife Management Area and CNPPID in regards to our property on Clear Creek. In the past we have been told it is impossible for CNPPID to give property and it is impossible to CNPPID to take property. As part of the resolution a survey was conducted and it was agreed that the survey would determine the property boundary. We met with Wildlife Management and agreed on a temporary basis to let them and CNPPID use the road. Wildlife Management was to get back with us if there was any action needed. Now you appear to rewrite the boundary in you favor through the boundary review process. If you have an amicable proposition we would be willing to review.

2018-12-28 19:50:04
Andrew Weaver
pweaver@excell-llc.com
9706303930

34467 County Road HH.5

Wray, CO 80758

Concerning Area 2, specifically, Albees Subdivision 2:

We are very interested in what your intentions are regarding our property in the Albees 2 Subdivision.

After our conversation with Deanna at CNPPID we were more confused because she did not have the facts.

We have reviewed the data on the website and disagree with the current boundary, as well as, the proposed boundary.

Please keep us informed of any future developments, information, comments, processes, etc.

2018-12-28 18:28:29
Brandon Jensen
brandonjensen5@yahoo.com
3082241607

11535 Crow Hill Drive

Parker, CO 80134

My wife, Michele, and I own Lots 49 and 50 and Lot A which is a replat of Lots 51-55 in Lakeshore Sub on Lake McConaughy.

The map on your website shows the new red line completely encompassing our property which is causing some concern on our part. We have many questions about what this plan means and how it may affect our properties. No one on the CNPPID staff has addressed this matter in person. An email from staff to a neighbor casually mentioned that an eminent domain option could even be used.??? Some effort should be made to personally explain this plan and its implications to interested Lake residents.

We have the following comments (questions):

1. What effect will the FERC boundaries have on Central's current and future permitting as to structures?

2. Will permits received from the corresponding county(ies) for improvements be changed?

3. Would eminent domain be used on certain properties?

4. What does the dotted red line on the picture on the website mean or represent?

5. We would like explanation as to what we lost/gained before beginning construction on our retirement home in the near future.

A public presentation on this boundary review at Lake McConaughy by Central staff, Board members, etc would be welcome.

Thank you,

Brandon Jensen

308-224-1607

brandonjensen5@yahoo.com

2018-12-28 13:32:06
Richard & Kristin Borman
rrbormantech@gmail.com
9515333651

49 Mako~Ch~Mni

Ogallala, NE 69153

We did not receive any type of correspondence at our lake address, nor at our California address, regarding this boundary review and comment request. We were told about this by a neighbor. Why did Central not notify us the same way they claim to have mailed out thousands of postcards to adjacent property owners?

Our property is quite unique and extremely desirable due to location, proximity to town, panoramic views, and it offers over 600 feet of shoreline as it is on a small peninsula. Our home, built in 1972, is estimated to be worth well over $1,000,000 in our latest market valuation. We have received offers to buy our home for over $1,000,000 in the past 8 months, and turned them down. This is our retirement home and we plan to live here for the rest of our lives, however long that may be.

We have lost several hundreds of square feet of acreage due to lake erosion. There is no shoreline protection nor has there been any attempt to protect our property from lake erosion by Central. The acreage loss is even greater when you consider that no improvements can be made within several feet of the shoreline along the north-east perimeter to due the instability of the collapsing and eroding cliffs.

We thought we were currently in negotiations with Central for them to purchase our erosion rights and for compensation for already eroded acreage. This is verified through direct communication to FERC, both on our part as well and Central's.

We made an offer to sell our erosion rights to Central in June of 2018. Central declined the offer and has yet to offer any type of negotiation in order to obtain our erosion rights, despite telling FERC that they are doing so. However, no communication has been received from Central in nearly three months, including them offering any type of remuneration for property which has already been eroded away forever.

We expect Central to honor their shoreline management plan and their most recent comments to FERC regarding settling on fair compensation for our lost acreage to erosion, as well as negotiating for the rights for inevitable further erosion on our property, which is outside of current project boundary lines.

Why didn't Central protect the shoreline to begin with? During the time when the water levels were low, 2000 -2009, protection measures could have been constructed, especially in areas where adjacent homes were already built, like Mako~Ch~Mni. If Central is incapable of constructing such protective

measures, how is it they have a license to operate a hydro-electric power plant if they cannot meet the license requirements and protect from infringing on private property owners' boundaries?

Central requested a boundary change in 2004, which was granted. Central then noticed a few years later that its review of the boundary excluded key parts of Lake McConaughy. Now, Central wants to move the boundary again? This fall-back measure of moving the boundary as a means of shoreline erosion management should not be permitted by any governing agency, especially when they have shown such little regard for adjacent landowners' rights and property.

2018-12-28 08:56:08
Chris Denker
cdenker1@gmail.com
3083253638

1913 Plum Creek Lane

Lexington, 68850

After reading your write up and looking at the proposed lines I was left a little confused. The report is a little hard to understand. I am also concerned about the amount of land that the new line captures. I understand we have to have flood control and that you have to follow guidelines and elevation maps when doing this but it doesn't seem right that you can reestablish lines without compensation and that if the two parties cant come together that eminent domain is something that has been discussed. We made a sizable investment in that property and at times feel like we are just waiting for the rules to change. Hopefully this can be resolved so both parties can come away happy

Chris Denker

2018-12-27 20:10:25
Pam & Bob Collins
taalign1@msn.com
3082844634

26 Yacht Club Estates

Ogallala, NE 69153

I am wanting to clarify, are you wanting to take any more land to the East of our home than what was previously designated as Centrals . This map almost looks like the lot lines are where we previously felt it was.

2018-12-27 20:08:28
Richard Winchell
richwinchell1@gmail.com

107 Albees 3

Lewellen, Nebraska 69147

I feel that the vague postcard and limited information on your website has created a lot of doubt on what it is that your wanting or needing, at this time I am opposed to any changes, I purchased my property because of the deeded land, Not leased. I think that has a dramatic influence on the market value.

2018-12-27 11:15:57
Daniel Kreis
dankreis@hotmail.com
3086400017

19494 Stor St

Brady, Nebraska 69123

First off I was very surprised at the current property line one the map. This is quite a bit different than what I was told when I bought the property 15 years ago and different than what the Lincoln county GIS shows. I would like to know who is right the county or central.

As far as the proposed FERC line I would like to propose that it goes as a straight line from the back of my building, across my yard to the common point on Mathews property. This way the southwest corner of the building and my house would not be affected. Both these structures are high enough that they should never be affected by high water. Or to make it even easier, just stay with the current line, which is straight. Starting at the point in Tederman's property going to Mathew' property.

What is the policies on structures/sprinklers/gardens that are currently above FERC line but won't be if the line is moved to a higher elevation?

2018-12-27 10:41:00
David and Patricia Bean
patty@wellbeingLLC.org
3087858000

2 Plum Creek Canyon DR
PO Box 1
Eustis, NE 69028

When we purchased this deeded property in 2002, we were told by the Surveyor that our front property boundary pin was in the lake.

The proposed boundary line now comes within inches, and perhaps cuts through the edge of the roof of our home.

This is unacceptable.

It appears that this proposed boundary takes much more than the eroded property from the past. This too, is unacceptable. The liability for the eroded land should be with the party responsible for the past erosion - not with the landowner.

We believe this proposal to be inequitable and unreasonable.

2018-12-26 17:45:11
Blake Gade
gadeblake@gmail.com
3087786739

Po box 34

lewellen, NE 69147

Concerned Lakeshore resident and landowner

2018-12-26 13:44:17
Bob Lynch
bobelainelynch@gmail.com

42565 R748

Elwood, NE, 68937

The proposed new ferc boundary lines absolutely have no advantages to the home owners at the lake but create more problems for us . It only gives more control over us by Central which creates more problems with them then we already have . We already do a great job of maintaining our properties and lake for the benefit of ferc and the public , and don't need any more rules and regulations so central can have more control over us ! It only creates more problems for both sides ! If they move the boundaries to the roads , does that mean we have to get a permit to maintain them ? Its little things like this that create big problems ! Please do not allow the boundary change . Bob Lynch

2018-12-26 13:38:55
Scott Sneller
r.scott.sneller@gmail.com

706 Huckberry Rd

Bellevue, Ne, 68005

I oppose the change of the FERC boundary at Jeffrey lake. This is obviously another power grab with the goal of having total control over all property leased by the JLDC lease holders. Moving the boundary line is not necessary for water access, shoreline conservation, flood control or maintaining proper flows for irrigation. The existing boundary line has served Central well for almost twenty five years. If we allow the change every lease holder will not be able to scoop snow without a permit. This is a continued action of harassment and I wish we would put an end to this type of harassment with a lawsuit against Central.

Scott Sneller

2018-12-26 12:18:32
Herbert Legg

108 Albees 3

Lewellan, 69147

We don't want to be a part of this. Not interested.

2018-12-25 21:54:24
Michael Murray
mr@mrmurray.net
9704852709

201 Albee Subdivision
#1 Perch Street
Lewellen, NE, 69147

For nearly 34+ years I have owned 8 deeded acres, more or less, adjoining Lake McConaughy. During This time, and as far back as locals contacted can remember, CNPPID has done nothing to mitigate lake caused erosion, repair or offer to repair damage caused by lake caused erosion, nor attempt to purchase property lost to lake caused erosion.

Now, CNPPID wants to realign lake boundaries when they have failed to meet previous obligations,

real or implied. I will oppose any and all realignment actions and will file with FERC a notice to suspend license renew considerations until those obligations are addressed and satisfied.

For all of these years I, along with many neighbors, have removed hundreds of dead trees from the lake and beaches to make the lake safer for everyone. We also have towed countless "stuck" visitors to solid ground. This was done not for pay but because that is what good neighbors do. I think it's time CNPPID also becomes a good neightbor.

Michael R. Murray

970-485-2709

mr@mrmurray.net

cc/FERC, <ferc.gov/legal/complaints.asp>

Commissioner Lane Anderson,< board@keithcountyne.gov>

Jeff Headley, <newsboy@ogalallakcnews.com>

Diane Hansmeier <dianehansmeier@gmail.com>

Tim Minert, Esq.

2018-12-22 17:36:29
Mary E Cudzilo
bcudzilo@nebnet.net
3085843022

99 Pelican Drive

Brady, Nebraska 69123

As a person who lives at Jeffrey Reservoir full-time, I would like to comment on the new FERC boundary proposal for my property, 99 Pelican Drive. I have one of the lowest in elevation lots on Jeffrey Reservoir. The current FERC boundary goes through a portion of my house but the new proposed line would encompass my whole property including all buildings. I have a close up picture of the location but am unable to attach it to this comment. Please look at the boundary review of my house (red garage) and the old (yellow) and new (red dashed) proposed FERC line.

I believe encompassing my whole 3 acres along with all the structures on my property within the FERC line is contrary to FERC's request to reduce the amount of residential property within the FERC boundary, and provides no additional benefit to FERC nor CNPPID. No issues with the current boundary have been identified to me nor any of my neighbors.

In addition, for ease of use, the current FERC boundary could be moved to a fixed elevation such as 2762' (high water mark + 2 feet) thus reducing the amount of residential property within the FERC zone. This last year a major effort was accomplished along the east residential side providing higher and Army Corp of Engineers compliant seawalls resulting in better erosion and flood control. FEMA does not consider any part of Jeffrey Reservoir to be within a risk zone requiring flood insurance and the only flooding of my property has occurred when CNPPID has not controlled the water flow due to ice in the check points or in the hydro-plant. These situations have caused the Reservoir to rise up to 2 feet over the high water mark. These are unusual situations due to severe ice on the Reservoir. However, even with this 2 foot rise, water has only has reached ~30 feet from the shoreline into my yard which is well within CNPPID control already.

CNPPID makes the case about what happens if the dam breaches and water rises very quickly in the reservoir. However, looking at the Mead & Hunt 2010 study of Jeffrey reservoir, the worst case scenario would not impact the residents of Jeffrey Reservoir. Any breaching of the dam would have the majority of the water running downhill to the north onto farmland as that is the lowest elevation at the dam and not towards the eastern residential community.

In closing, CNPPID is also responsible to invite all public comment on this change to the FERC line yet no notifications have been received by all residents of Jeffrey Reservoir. One private meeting was held but the only invitees were the Jeffrey Lake Development Incorporated Association and not all residents. Additional public comment needs to be solicited to better understand all the impacts of including all residential property within the FERC boundary here at Jeffrey Reservoir.

Respectfully,

Mary E. Cudzilo

2018-12-20 18:00:45
Mark Wessbecker
mwessbecker@yahoo.com
3036462743

4693 Downwest Ride

Elizabeth, colorado 80107

I think the current FERC boundary is more than sufficient to fulfill your obligation of the lease. If you change it you will just add another layer of cumbersome permitting procedures that we, the home owners have to deal with. It takes a lot of time and paper work to do anything with the current boundary in place, we do not need additional work piled on us. I,we, home owners have nothing but the utmost concern of doing what is best for the lake and surrounding property therefore, there is no need to burden everyone with an unnecessary change that will not make things better, only more difficult.

2018-12-20 11:39:41
Janet Stevens
janetstevens01@comcast.net
3035642526

11680 River Run Pkwy

Henderson, Co

We own the home on 118 Albees 3, which we purchased January 2018. There was no reference as to the flood plain changing on any of the documents. If necessary we will hire an attorney to fight the change. Our home is on a hill at the same elevation as the homes that would not be in the proposed flood plain across the street. Please take into consideration the impact this has on the community as to the increase of insurance and depreciation of home values. This is our retirement home.

Thank you, Janet Stevens and John Oldham

2018-12-18 21:48:42
Tom and Vonie Weaver
vonie@eaglecom.net
9705970070

33566 CR HH.5

Wray, Colorado 80758

To Central Staff,

It is unclear why this needed done and we disagree with the new boundary.

How many more times will this be done ?

How does this affect our property value.

This does not seem fair or legal.

2018-12-16 14:38:15
DIANE HANSMEIER
DIANEHANSMEIER@GMAIL.COM
3039196915

6 LAKESHORE

LEWELLEN, NE 69147

My home is located in Lakeshore Subdivision and I own a bar/restaurant/motel in Albees Subdivision. The reason that I bought in this area was because it is deeded land and not a leasehold. I am very concerned about the new 'Proposed' boundaries. This will negatively affect me as both a homeowner and a small business owner. I am not willing to let Central come in and purchase my land. I also think that this will have a negative impact on my property values. I am looking forward to Jim Brown and Mike Drain coming out to Lake Mac to meet with all of the concerned landowners and to address our concerns. Thank You, Diane Hansmeier

2018-12-13 23:27:53
Brian Linneman
blinneman85@gmail.com
3082490874

Lot 13
K-3
Lemoyne, NE 69164

First of all, I appreciate the opportunity to express my opposition to boundary expansion at Lake McCounaghy. The boundary expansion is excessive and unnecessary. The north side of the Lake would experience significant expansion to the project boundary. For what purpose? The current boundary is adequate. The expansion of the boundary provides no stated benefit. I would propose and strongly recommend, leaving the current boundary in place. If that is not acceptable, it will be very important to educate the public why the boundary needs to change? Fully explain the implications of what it means to expand the boundary. What possible future restrictions will we face? We don't need additional Federal Govt. Oversight over a significantly expanded project boundary. I am opposed to the proposed changes.

Thank You

Brian Linneman

2018-12-13 14:25:18
Burrell and Lisa Albee
labjalbee@gmail.com
3083800213

125 Albees 4

Lewellen, NE 69147

We own and have a permanent residence on Lot 125 Albee's 4th Subdivision. We also own Lot 123 on which a cabin is located. We understand that CNPPID already has rights to operate on all Albee Subdivision and Lakeshore deeded properties due to the deed dated Feb. 9, 1953.

Why then does the boundary need to be moved if CNPPID already has rights?

The elevation of Lot 125 is well above the lake elevation. The south boundary of Lot 123 is lower in elevation but the lake has never reached its boundary.

We do not see the necessity of including our lots within the FERC boundary.

We have not been given specific answers as to the effect an FERC boundary has on our deeded land. We read that "the project boundary does not have any impact on property rights" but what exactly does that mean? What additional rights are CNPPID given by having our land within the boundary (rights they don't already have as per the 1953 deed)?

We are frustrated that many rumors are flying and confusion exists. Better communication in layman's terms from CNPPID, transparent, clear, and publicly presented would have alleviated this situation.

Sincerely, Lisa and Burrell Albee

2018-12-08 20:43:42
Steven Sanford
snow600@aol.com
3083552900

106 Albees 3

Lewellen, NE 69147

I believe there are other ways to overcome this situation. When I bought this property in 2005, I was required to install a seawall because NPPID stated my neighbor an I had disturbed the bank and therefore it could cause an erosion issue. We paid several thousand dollars to install a seawall to satisfy NPPID's needs. I believe if Central and NPPID would install seawall around the property boundaries as we were required, there would be no need to steal our property to satisfy your greed. Our property is at an elevation of 3290. If you bring the lake elevation to that level, your dam will collapse. The purpose of NPPID is to produce electricity from the lake. A higher lake elevation, or a more surface area from the lake, will not produce more electricity. This is nothing but a land grab to remove the residents from their dwellings to ensure your safe keeping from the threat of a lawsuit. You say you have the right to erode, but in a court of law, that will be a debate.

2018-12-08 18:29:51
kenneth hoyer hoyer
khoyer@lakemac.net
3083553217

57 lakeshore
57 lakeshore
lewellen, nebraska 69147

Just to let you know that I will try and find out how Central can try to cover my private property with their wishes I have deed and I think to proceed with your plains is not legal Ken Hoyer

2018-12-08 14:47:22
Richard Bringelson
rbringelson1@huskers.unl.edu
3083803886

121 Campbell Ave.

Doniphan, NE, 68832

TO: cnppid leaders:

Thank you for this initial briefing on this boundary project. Based on what I understand from reading the narrative it seems reasonable and fair to all parties. If appropriate I would like to visit with the Gothenburg staff to better understand the map portion of this review process. I will try to work with it some more, but at this point my computer skills are limiting what I think is available in the software.

Thank you for your organization's cooperation with the NRDs work on ground water recharge. I would guess that it takes some additional maintenance efforts to run the canal at the levels you now use.

At 78 years old I have continued to learn more as I lived within the "foot print of the Tri-County system. It takes a lot of attention to the needs of the system and the related landowners. The opportunity to serve as an agriculture landowner stakeholder on a step in the analysis process was eye opening for me.

I look forward to observing the process as the planning and implementation moves forward. Thank you for your creative leadership for Nebraska.

Sincerely,

Rich Bringelson

2018-12-06 20:32:40
Gary Telitz
gtelitz@msn.com
3038870099

75 K-1 Road

Ogallala, Nebraska 69153

Lake McConaughy has had years of erosion and we recognize the need for an updated FERC boundary review. Over the past few weeks I have received several calls from concerned Lake McConaughy Lessees regarding the proposed boundary changes. The questions below reflect some of comments, concerns and questions.

Why do the proposed boundaries change so drastically? While it is understandable that some changes are needed, why is it necessary to place all LMLI homes within the FERC boundary? Is this really needed? The drastic boundary changes appear to be government overreaching the original intent of a boundary review.

We believe the majority of past erosion occurred when the maximum lake level was 3270. Once the max lake level was changed to 3265 erosion has slowed down drastically. Why is it necessary to change the FERC boundary more than a few feet back from the high water mark?

How will the proposed changes effect current and future lessees/owner property rights?

What effect will the proposed boundary changes have on Keith County and CNPPID permitting procedures and construction guild lines?

How will the proposed changes affect future development around Lake McConaughy?

Many lessees would like to have the opportunity to purchase CNPPID leased property on which their home located. Should this become an option, sometime in the future, what effect would the proposed new FERC boundaries have on our ability to purchase our leased lots?

Respectfully,

Gary Telitz

President - Lake McConaughy Lessees, Inc

2018-12-05 15:48:43
Gary Niepoth
theniepoths@yahoo.com
3037268608

46 makochmni

Ogallala, 69153

As a board member of the makochmni subdivision, I would like to know when and if central plans to complete its shoreline protection project started in the early 2000. Thank you. Gary Niepoth 46 makochmni phone 3037268608

2018-12-05 13:04:47
bob friesen friesen
bobfries7@gmail.com
3082894578

13 lakeshore

LEWELLEN, Nebraska 69147

How was this new boundary line decided & why are properties included that have no erosion concern??

2018-11-25 18:10:48
Roger Beem
beem.cheryl@gmail.com
3085393414

11884 East State Farm Road

North Platte, Nebraska 69101

We purchased our property in 1994 knowing Central had the right to use our draw for canal spillover. The proposed boundaries under consideration would take approximately a third of our total acres and be within 60 feet of our buildings. This would severely impact the value of our property for resale. We use the pasture area each summer to graze livestock. We chose this property because it had roads on all sides to ensure nobody could obtain land close to ours. We already have piles of sand dredged from the canal each year on the south side of our property across the fence and are very concerned that if Central obtains this land they will use it to store sand. The sand piles already blow that are stored behind our property and if Central gets control of these acres sand on the west side would blow directly into our house. In looking at the proposed boundaries along the canal, there is no where else that draws them this close to a homestead. We request to have the current boundary lines along our property remain in place. We are ok withCentrals's right to release overspill into the draw. Please notify us with the dates and locations of any public comment meetings. Thank you for your consideration.

2018-11-24 12:25:45
Mr. & Mrs. Larry Trompke
larryjaney.20@gmail.com
3088320890

Larry & Janet Trompke
101 lakeshore
lewellen, ne 69147-2113

your post card sure upset a lot of people. People think they need to get attorneys because you are taking their land, because of the proposed boundary changes. A meeting as been called for December 4 at Marina Landing. We don't know who called the meeting, but someone from Central needs to attend to clarify that post card. Being a lake front owner, we oppose the new boundary line. The boundary should be readjusted to include eroded lands and not include deeded land not affected by lake access or erosion. We agree the current boundary needs to be identified and remarked so that Game and Parks can close off excess roads to beach on the West end of the lake. We have very little enforcement at this end of the lake. Little kids, big kids, and adults can ride and race 4 wheelers, dirt bikes, etc. wherever they want. Campers also don't pay for their stay, and Game and Parks does not patrol this beach on a regular basis during the camping season when there is beach. We also agree that bank erosion should be addressed. We need to protect the eroded banks and shoreline for the future of this lake. For instance, West of us someone has made a driveway on the bank right next to the access road. No one patrols this area to even know what is going on. We are tired of everyone breaking the laws of the lake and abusing the shoreline. please have representative come to meeting.

2018-11-21 13:45:59
MARY A FINKE FINKE
mary.finke55@gmail.com
3085291685

1218 20TH

GOTHENBURG, NE 69138

Property under name ACM BRAND RANCH LLC

No concerns on my part that I can think of as of now.

Just asking to keep me informed on if the proposal goes thru

and will it make any difference on my taxes?

2018-11-20 19:53:59
John Roberts
jrobertsemail@yahoo.com
4024161930

5301 Braemer Rd

Lincoln, 68516

I would like to better understanding what the new proposed boundaries mean for our 34 Makochimni property? It appears that you are proposing the new boundary taking the entire property? In addition, the existing wall in front of our property is in need of repair in several places.

2018-11-20 14:21:27
Jack Baker
jack@baker-eng.com
3086313800

1702 E. 34th Street

Scottsbluff, NE 69361

Our house is located at 66 Mako-Ch-Mni and is adjacent to Fenwick Bay. Our property has not seen any erosion from the Lake in the last 20 years since our home was built. The proposed FERC boundary shown appears to not accurately reflect the topography on our property. The boundary is drawn to include our home, but the house actually sits on the highest point of the property. The lower level of the home sits more than 25' above the highest water level of the lake.

Again, we have not seen any erosion within the bounds of our property. There has been some minor erosion east of our house on the face of the hill which is all on Central's property. We have looked into possible construction of some rip-rap along this area to control growth and minor erosion from rain events.

2018-11-20 10:41:09
Laurance (Larry) Williams
larry.williams.wcginc@gmail.com
3083251013

74949 Road 435

Lexington, NE 68850-5557

I understand the map is very preliminary and specifics as to exact area has not been established. I would, however, very much like to be kept informed as more specifics become available.

We are concerned about the amount of non-cnppid traffic that now enters the area of concern and the use of the bridge just to the west of Road 435. CNPPID does at this time maintain the area in question and the need for a larger area is questionable. It appears the canal is well maintain as needed by CNPPID by the ready access it presently as available to it.

The area to the east of the questioned area is the road to the Diversion which has a great deal of non-cnppid traffic and much is the traffic now turns west. If the area to the west is expanded and improved much more non-cnppid will travel to the west.

I look forward to more information as it becomes available.

Thanks --

Laurance (Larry) Williams

74949 Road 435

Lexington, NE 68850-5557

308.325.1013

20 November 2018

2018-11-19 12:53:22
Lindsey Tederman
lindseyatederman@hotmail.com
3085292361

19580 Sea St.

Brady, NE 69123

I'm trying to read the maps, but am having trouble understanding where my cabin/land lies on it. I would appreciate a phone call or an email describing if the new boundary you have set forth affects my land and property.

Thank you,

Lindsey

2018-11-19 01:15:13
Jeff Kletzmayer
JEFF@BIGHORNMETALWORKS.COM
3036598888

3871 CR 17

Brighton, Colorado 80603

I am a cabin owner in the K-4 Cabi Area. The new boundrie show the K-4 within the boundry which includes us as part of the "Project". This appears that we will hace new restrictions that will affect the way we live at the lake. what exactly are these rescrictions or Rules that will change? I need you to look at this questions in two parts

1 the imediate impacts

2. future impacts please include situations that could happen that will change the project enough to affect our K Area.

2018-11-15 18:14:17
Daniel McAuliffe
mcawful@lakemac.net
3083552625

5 K-2
lot 5 at Omaha Beach
Lewellen, Nebraska, 69147

Want to see how the new red area affects our lot 5 and the other lots in here.

The map won't detail in enough for us to see what could be different and why.

Thanks, McAuliffe's

2018-11-11 15:55:48
Miguel & Tanya Fonseca
fonseca72@msn.com
7016295789

12346 Saint Paul Ct.

Thornton, CO 80241

When will this change go into effect 2038 ?

2018-11-08 23:55:44
Larry Gulleland
Gilleland81@aol.com
17209307550

2814 South Fig Street

Lakewood, CO 80228

I do not believe my home which sits upon a bluff overlooking the lake is correctly depicted as a potential risk for lake related flooding or impacted by erosion. I believe the elevation of my home to be higher than that of Kingsley Dam!

I would like to hear an argument indicating otherwise!

Larry Gilleland

2018-11-08 14:12:35
paul bettger
pbettger@windstream.net

po box 275

fairmont, ne, ne 68354

I own lot #11 in Merriweather. I am current paying for an encroachment. It appears to me that the boundary line on this map is farther away from my cabin than what I have been told because of a survey. If it is based on elevation, I would think that I am not encroaching.

Please get back to me.

Thank You,

Paul E Bettger

2018-11-07 17:05:45
Jeff Claypool
kjclay@earthlink.net
4027700210

5330 West Chanceler Court

Lincoln, Nebraska 68521

I receifved the FERC Project Boundary card in the mail on 7 Nov 2018.

I have a place in Bullhead Point and my property backs up to Bossung lake.

What does this project mean to me and my wife? Are they removing the Bossung lake or draining it?

thanks for the additional information.

2018-11-07 15:57:15
Jeffrey Hahn
hahnstarp@hotail.com
9705227640

421 S 2nd Street

Sterling, Colorado 80751

This is concerning Lakeshore subdivision lot 73. We are totally against the new proposed boundary lines. Our house is located on top of a hill with houses in front of us and well above overflow lake level. We will not allow this land grab with out a legal battle which we will be willing to along with our fellow neighbors to fight this all the way to the Supreme Court. Our kids have grown up enjoying the summers playing along the beaches and fishing at this lake and all we want is to pass this on to the next generation of our family the way it is and has been for the last 30+ years!

2018-11-07 12:31:32
Mark and Stephanie Wennstedt
bigmarkw@gmx.com
4173420516

16000 Huron st. #B

Broomfield, CO 80023

Hello.... It appears by the maps you've provided, and the limited information I have been able to find.

This decision will impact a significant amount of my property.

I would ask for more specific details, based on a survey comparison.

Where are these lines exactly?

How will this impact our realestate?

We would appreciate any help and additional information you can provide.

Thank you in advance

Mark and Stephanie Wennstedt. 11/7/18

2018-11-06 22:34:30
lynn koglin
lkoglin@koglingroupllc.com
3035513073

133 s fillmore ave

louisville, co 80027

This is very confusing? I don't understand what land you are looking at? You map is not helpful.

2018-11-06 20:35:33
Warren Smith
dean@frsg.net
3039170682

4871 Weld County Rd. 7

Erie, CO 80516

I do not understand, as you have not provided enough information.

What does this extended boundary's mean to us who have homes inside of this area?

What are the possible , Various Rights you speak of?

Why is this additional easement needed for you?

Quite frankly I oppose of any changes

W. Dean Smith

2018-11-06 12:47:48
Lane Kugler
plumcreek2003@yahoo.com
3085297571

0 Plum Creek Canyon DR12i

Eustis, NE 69130

Not sure why you think the new boundary needs to be within a few feet of our front door on our deeded property. We disagree with the new boundary. The old boundary does not make any sense either. We have always cooperated with CNPPID but these boundaries do not make logical sense. Please explain.

2018-11-06 12:12:24
Kathy Wiest Wiest
kathywiest@hotmail.com
3084835568

15516 Road 32

Lodgepole, NE 69149

We own property at 14 AR Subdivision on Lake McConaughy. The proposed boundary cuts across our fenced in yard on the diagonal. We're wondering if the proposed boundary can be adjusted to follow the existing fence lines.

2018-11-06 01:18:27
David Yonker Yonker
Captain500@aol.com
3087852092

3 Johnson Lake Dr 30

Elwood, Nebraska 68937

The land in "Area A" the East Dike will remain CNPPID property or will this land if removed and approved by FERC be sold off? What are your short and long range planes for the Grass Runway.

I do understand in the last 70+ years there has been no need for the East Dike, however at one point someone felt it was needed, and it was built. Could the reason for this been they felt at the time of Johnson Lake construction they thought should it fill in with silt they could simply raise the lake level to maintain the needed water flows? I would guess at some point in the future this could be the answer, if not what has changed?

It also looks to me like these lines can be moved at will in either direction provided a good reason is presented to the governing body. There must be a good reason for the change in "Area A" other than it is not being used, there must also be a change in the rules over the use of this land, that you have not told anyone about. I own and lease land on 2 sides of this "Area" I also land my plane on this grass air strip, as do many other pilots some friends, customers, and cabin owners.

I see Johnson Lake has made many improvements in the 33 years I have been here, I see this runway as a HUGE asset to the future draw and appeal to Johnson Lake. I know of no other lake in Nebraska or even the United States where you can land your own plane and walk 500 feet get in your own boat and have family fun and feel so safe doing it, not worried if you locked your plane, or left the keys in the boat, or be expected to spend a few thousand dollars just for a few hours of family fun. I feel "Area A" can be developed into the inveigh of every lake in the USA at some point. As one of the few Marinas on Johnson Lake and the closest one to "Area" I would like to know your plans for this area and even be a part of any improvements you may have in mind. May I suggest you start by giving it a better name. "Area 51" will draw far more attention than Area "A" when you start your improvements shoot for a better name, Area 51 is already taken, but you get my point.

In 1986 when I bought my Marina, Captain's Quarters, I was a pilot for 6 years already, the airport was 50% of the reason I wanted to be at this location, now it is more like 75%.

2018-11-05 22:20:36
Anthony Mines
Tony.mines@mc2electrical.com
7203342533

24453 WCR4

Hudson, CO 80642

I am wondering what the implications are to current land owners and roads that fall in the new proposed boundary? Will roads be closed? Will access to land owners be limited in any way? Will access to the water be changed or limited?

I currently have a home in Area 4 West.

2018-11-05 13:20:25
Patti Barber Barber
cntrycha@yahoo.com

144 Lakeview Acres

Johnson Lake, NE 68937

I Received the postcard, in helping me make a comment, I would like a copy of the December 2008 Nebraska Statewide Probable Maximum Precipitation (PMP) Study. Also In The Conclusions and Next Steps under #3, is mentioned Exhibit F & Exhibit G, these are not attached only Exhibit A. I do not want to get a response on this that look at Attachment A and reference Exhibit F & Exhibit G. For clarification I would like to get a copy of Exhibit F & Exhibit G. There is no measurements in Attachment A.

Thank you,

Patti Barber

2018-11-04 23:06:17
Diane Wulff
baddwulff@hotmail.com
3083552201

235 lakeshore

Lewellen, Keith county 69147

I checked out the map, but it did make sense to me. Would you please send me information about the proposed changes for the area around lakeshore and albee's subdivisions.

2018-11-04 18:30:55
bob friesen
bobfries7@gmail.com
3082894578

13 lakeshore

LEWELLEN, Nebraska 69147

I am a property owner on the northside of the lake in Area 2 of the Project boundary at Lake McConaughy report posted & would like to strongly say I do not want my personal property included in this new boundary.

2018-11-04 16:20:48
SHIRLEY HUBBARD
shubbard@nebnet.net
3085824645

15519 WEST ISLAND ROAD

MAXWELL, LINCOLN COUNTY NEBRASKA

DON'T UNDERSTAND YOUR CHANGES BY OUR PROPERTY-PLEASE EXPLAIN. ALSO-WHEN ARE YOU GOING TO DO SOMETHING ABOUT THE FLOODING OF OUR PROPERTY AND MR. SMITH'S SINCE YOU BANKED UP YOUR CANAL TO DO JUST THAT?

2018-11-04 10:13:28
Kerry Teetor
kteetor@gmail.com
3083245842

43461 Rd 757

Lexington, Dawson 68850

I would like to know why FERC is proposing to change the boundaries? What do we get every time FERC wants to do something? How has FERC gotten so powerful and no one can stop them? I think that FERC boundaries should be the shorelines and the canal shore lines. Does everyone forget who paid for the who irrigation system? It wasn't FERC. What land along the system does Central own or control? Is there crop land that Central owns and where is that located along the system? I would like to have my questions answered please.

2018-11-03 18:18:38
bob friesen
bobfries7@gmail.com
3082894578

13 lakeshore

LEWELLEN, Nebraska 69147

Received your postcard about the FERC Project which stated "Central may be required to acquire various rights within the revised boundary".. This new boundary includes my personal property, you need to identify the "rights" you are interested in. ASAP because you have NO rights on my property.

2018-11-03 14:53:15
Cynthia Gutschenritter
cyngutsch@yahoo.com
3085393100

614 west 5th st

NORTH PLATTE, NE 69101

My daughter and son-in-law planted trees along this property inside our fence along the road. He also recently put in new gates to access our property. We also have bee boxes along that same area from spring until fall. We are on the farthest east end of Hidden Lake, Lincoln Co. I'm hoping all this work has not been for naught!

Cynthia Gutschenritter

7125 S. Shore Drive

North Platte, NE 69101

Bacon&Vinton LLC
ATTORNEYS AT LAW

416 10th Street
P.O. Box 208
Gothenburg, NE 69138

Phone: (308) 537-7161
Fax: (308) 537-7162
www.bacon-vinton.com

Michael L. Bacon, P.C., L.L.O.
mbacon@bacon-vinton.com
Steven P. Vinton, P.C., L.L.O.
svinton@bacon-vinton.com
Colten C. Venteicher
coltenv@bacon-vinton.com

December 31, 2018

Central Nebraska Public Power and Irrigation District
415 Lincoln Street
P.O. Box 740
Holdrege, NE 68949
Attn: Boundary Review

Greetings:

Please consider this to be my comments in response to the FERC project boundary review, pertaining specifically to the Jeffrey Lake portion of the project. I am the owner of Lot 10, Block 1, Jeffrey Fjords Estates, 19681 Sea Street, Brady, Nebraska, located on the northwest side of Jeffrey Lake. This property is titled in Steven P. Vinton, and I have owned the property since September of 2003. I reviewed the 2017 Remainder of Project FERC Boundary Line Report which Central Nebraska Public Power and Irrigation District ("Central") submitted to FERC under cover of letter dated June 30, 2017. In addition, I attended the public information meeting held at the Central office in Gothenburg on December 7, 2018.

As an owner of a deeded lot, and having not been involved in any of the past issues or litigation concerning Jeffrey Lake, and specifically with regard to FERC boundaries, and permitting issues concerning improvements, this is all new to me. I have followed, closely, the litigation between Jeffrey Lake Development and Central, however.

This past summer, Boni Edwards with Edwards Surveying in North Platte conducted a survey of the shoreline in front of my house, presumably for the purpose of identifying the ownership boundary line between me on one side and Central on the other. This line shows that a portion of my front lawn and seawall appear to encroach onto Central's property. These improvements have been in place since I acquired ownership of the property in 2003, and according to my investigation, these improvements were built somewhere in the mid-1970s. I am a little surprised that there has been no discussion regarding encroachments until this point. In any event, I would be interested in some type of long term resolution which would allow me to continue to maintain the encroachments, so that any potential adverse effect on my property value could be minimized.

I tried to focus on the criteria and considerations found on page three (3) of the Boundary Line Report. I am especially interested in the criteria identified as "shoreline erosion and stability"; "flood inundation areas"; "shoreline management"; and "exclusion of residential and agricultural uses". I would offer the following comments:

received
1-2-19

1. Because my property is improved with a seawall, I do not see that there are particular shoreline, erosion, and stability issues, provided the seawall is properly maintained. I intend to continue to properly maintain the seawall.

2. With regard to flood inundation areas, I note with interest that the possibility of a "one thousand year flood" was discussed extensively at the December 7, 2018, meeting in Gothenburg, and this appears to be one of Central's points of emphasis. I will suggest that it seems to me a bit extreme to be speculating about a one thousand year flood, and even if such a flood would take place, which would result in water rising to a level of 2 feet above the top of the dam, the result would be water reaching approximately the edge of my house according to my "eyeball" estimate. In any event, there would appear to be little risk in terms of safety, because my property slopes rapidly upward toward the west, and the access road leads away to the west.

3. With regard to exclusion of residential and agricultural uses, my only comment is that I am on deeded land, and in order to exclude residential use, Central would have to purchase my property for full and adequate consideration through a condemnation process. I certainly hope that this is not in Central's long term plan.

4. With regard to the expansion of the FERC boundary, once again I have not dealt with any of these issues in the past. My concern, obviously, is that if the "FERC Line" is moved so that it encompasses all of my property, I am assuming that the result would be that this could bring me under the jurisdiction of the Federal Government for purposes of regulations. I am interested, obviously, in being able to maintain my house and other improvements on a long term basis, and it would appear to me that any improvements now in place would have to be "grandfathered", and therefore can be maintained in their present state. If it is Central's intention to alter or restrict my present improvements, this would appear to be a taking of property for which compensation would be required. Once again, I hope this is not Central's intention.

Because of the unique characteristics of each of the properties in Jeffrey Fjords, it does not appear that a blanket approach can be used. For this reason, I would certainly welcome the opportunity to meet face to face with a representative of Central at some point in time to discuss my specific property. It is not my intention to be unreasonable or litigious, but instead I want to work on a long term solution which would allow the continued use and enjoyment of my property for years to come, as well as a way to protect the value of my considerable investment. Please feel free to contact me at the telephone number, e-mail address or mailing address at the top of this letter. Although I cannot speak specifically for any of my Jeffrey Fjords neighbors, I have spoken with a number of them, and I believe that their sentiments are somewhat similar to mine. We all certainly hope that a resolution of the issues can be reached to the satisfaction of both the landowners and Central.

Thank you for your attention to this matter. Please contact me with questions.

Sincerely,

Steven P. Vinton
SPV/ka

12/13/18

I am a 78 year old widow that doesn't have a Computer. The post card has started all kinds of rumors. Would have been nice to have had a meeting so we could ask questions and get the right answers. I don't have lake front property so can't imagine how I would be affected. Please mail me any information that would affect my property.

Loretta Griffeth
31 Lakeshore
Lewellen, Ne. 69147

November 13, 2018

Central Nebraska Public Power
And Irrigation District

Concerning FERC Project Boundary Review

I own a farm property adjacent to CNPPID in Garden County Nebraska, described as NE ¼ 31-16-41 and PT SE ¼ 31-16-41. It is my desire to put a center pivot irrigation system on this property. This would conserve water in several ways over the current flood irrigation. On the acres the pivot would cover water usage would be reduced by approximately 5" per acre/year. The corners which the pivot would not reach would receive no water.

In addition to the water savings the pivot would reduce the risk of leaching into the underlying water table.

The property line between CNPPID and my property is irregular/zig zag and would not allow the pivot to go around without crossing onto Centrals' property for a short distance. I have previously submitted a request to CNPPID for consideration of a boundary adjustment to accommodate the pivot. See enclosed aerial map. I also own an adjacent property to the east in Keith County Nebraska, described as the W ½ of the W1/2 of NW ¼ and PT W1/2 of the W1/2 of the SW1/4 in 32-16-41. I would be willing to buy the necessary land to accommodate the pivot travel or trade an equal amount of contiguous land from the Keith County property to compensate for the boundary adjustment.

This would help conserve and protect our natural resources.

I can certainly be available to meet at your convenience regarding this request.

My contact information:

Richard Kleist
12300 W Bluff Rd
Malcolm, NE 68402

Cell: 402-560-3508

Email: rkleist1945@aol.com

Thank You for your consideration!

Richard Kleist

Richard N. Kleist

Aerial Map

map center: 41° 18' 55.31, -102° 3' 37.03

0ft 650ft 1299ft

Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
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31-16N-41W
Garden County
Nebraska

Systems length 1277'

N
W E
S

1/12/2018

Bonnie J. Hueftle
74761 Highway 21
Eustis, NE 69028
Phone: 308-486-2001

Kent W. Hueftle
41827 Hwy 23
Eustis, NE 69028
Cell Phone: 308-325-4165

Dr. Stacey J. (Hueftle) Stockdill
20652 Pike Avenue
Aitkin, MN 56431
Cell Phone: 763-521-7571

June 18, 2019

Central Nebraska Public Power & Irrigation District (Central)
Attention: Mike Drain and Jim Brown
Regarding: Resetting the FERC Hydro Project Boundaries as related to parcels: 240028600, 240042603, 240042514, 240029216, 240042867,

Dear Mike and Jim:

Thank you for taking the time yesterday to review with us the purposes of the boundary review. We came away with the following understandings:

1. **The Project Purposes.** As stated in your presentation and written document on this project:

   The Central Nebraska Public Power and Irrigation District's (Central) hydropower generating system is regulated through a 40-year license issued on July 29, 1998 by the Federal Energy Regulatory Commission (FERC). Central's FERC License requires Central to acquire and retain sufficient property and/or rights to carry out project purposes as identified in the license. The geographic extent of the lands determined to be necessary for Central's hydropower project purposes is what is referred to as the Project Boundary. Hydropower project purposes include, but are not limited to, operation and maintenance of the reservoirs and supply canal system, adequate recreational use and public access, protection of environmental resources, protection of scenic values, and shoreline control.

   Central has conducted preliminary reviews of the lands surrounding Lake McConaughy and its supply canal to identify lands where additional rights might be necessary. The attached reports and interactive map are preliminary, and the final location of the Project Boundary may change as additional information is obtained. This public comment portion of the Boundary Review process is the next step in Central's ongoing efforts to meet FERC's license requirements and comments submitted will be taken into consideration prior to Central presenting the revised Project Boundary to FERC along with the required documents and maps.

   Bear in mind that this review of the Project Boundary does not change or take away a property owner's existing property rights. If additional rights are needed by Central as a result of a change in the Project Boundary, Central would still need to contact landowners to discuss what rights, if any, are needed by Central, and the acquisition of any such rights would include appropriate compensation. Property rights that Central might be required to obtain in the future range from access rights to the right to overflow water onto adjacent land, commonly referred to as flowage rights, and up to and including fee title ownership.

2. **Agreements.** Although there was a 1967 agreement between Central Nebraska Public Power & Irrigation District and G.A. and Dora Hueftle (Bonnie's father and mother in-law; Stacey and Kent's grandfather/grandmother), that agreement was for 25 years and expired in 1992. Therefore, there currently exists no agreement with Central regarding the parcels that we now own.

   Therefore the following statement applies to the parcels we own, "*Bear in mind that this review of the Project Boundary does not change or take away a property owner's existing property rights.* ***If additional rights are needed by Central as a result of a change in the Project Boundary, Central would still need to contact landowners to discuss what rights, if any, are needed by Central, and the acquisition of any such rights would include appropriate compensation.*** *Property rights that Central might be required to obtain in the future range from access rights to the right to overflow water onto adjacent land, commonly referred to as flowage rights, and up to and including fee title ownership."*

3. **Our Concerns:** We reviewed with you our concerns regarding the proposed boundaries as they relate to the parcels we own. On pages 6 to 9 we have outlined on maps, to the best of our ability, the areas of concern. In summary these include:
   a. Access roads to and from all the parcels as well as within all parcel boundaries
   b. Access to, operation of, and potential damage to existing corral
   c. Access by livestock to the water
   d. Possible damage to existing fences
   e. Control of musk thistle and cedar tress between old boundary and new boundary.

Please keep us informed regarding next steps, if any, you are going to take and/or any next steps we should be taking to make sure our concerns are part of the public record.

Sincerely,

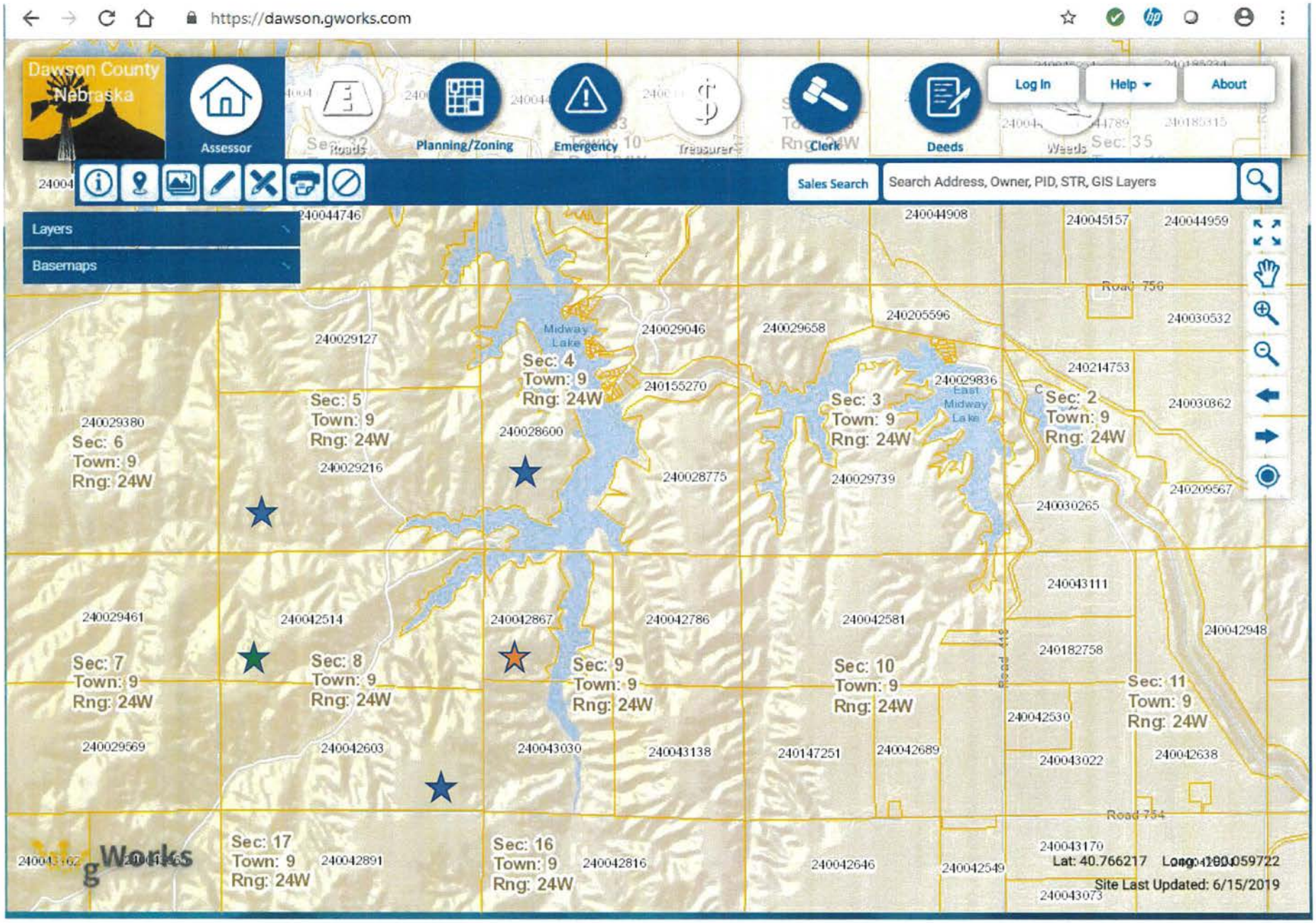
Bonnie J. Hueftle **Kent W. Hueftle** **Dr. Stacey J. (Hueftle) Stockdill**

Scanned signature page:

Scanned signature page:

Bonnie J. Hueftle	Kent W. Hueftle	Dr. Stacey J. (Hueftle) Stockdill

3 | Page



Blue Star = Bonnie J. and Kent W. Hueftle; Green Star = Bonnie J. Hueftle and Stacey J. (Hueftle) Stockdill, Orange Star = Kent W. Hueftle https://dawson.gworks.com/

The Central Nebraska Public Power and Irrigation District's (Central) hydropower generating system is regulated through a 40-year license issued on July 29, 1998 by the Federal Energy Regulatory Commission (FERC). Central's FERC License requires Central to acquire and retain sufficient property and/or rights to carry out project purposes as identified in the license. The geographic extent of the lands determined to be necessary for Central's hydropower project purposes is what is referred to as the Project Boundary. Hydropower project purposes include, but are not limited to, operation and maintenance of the reservoirs and supply canal system, adequate recreational use and public access, protection of environmental resources, protection of scenic values, and shoreline control.

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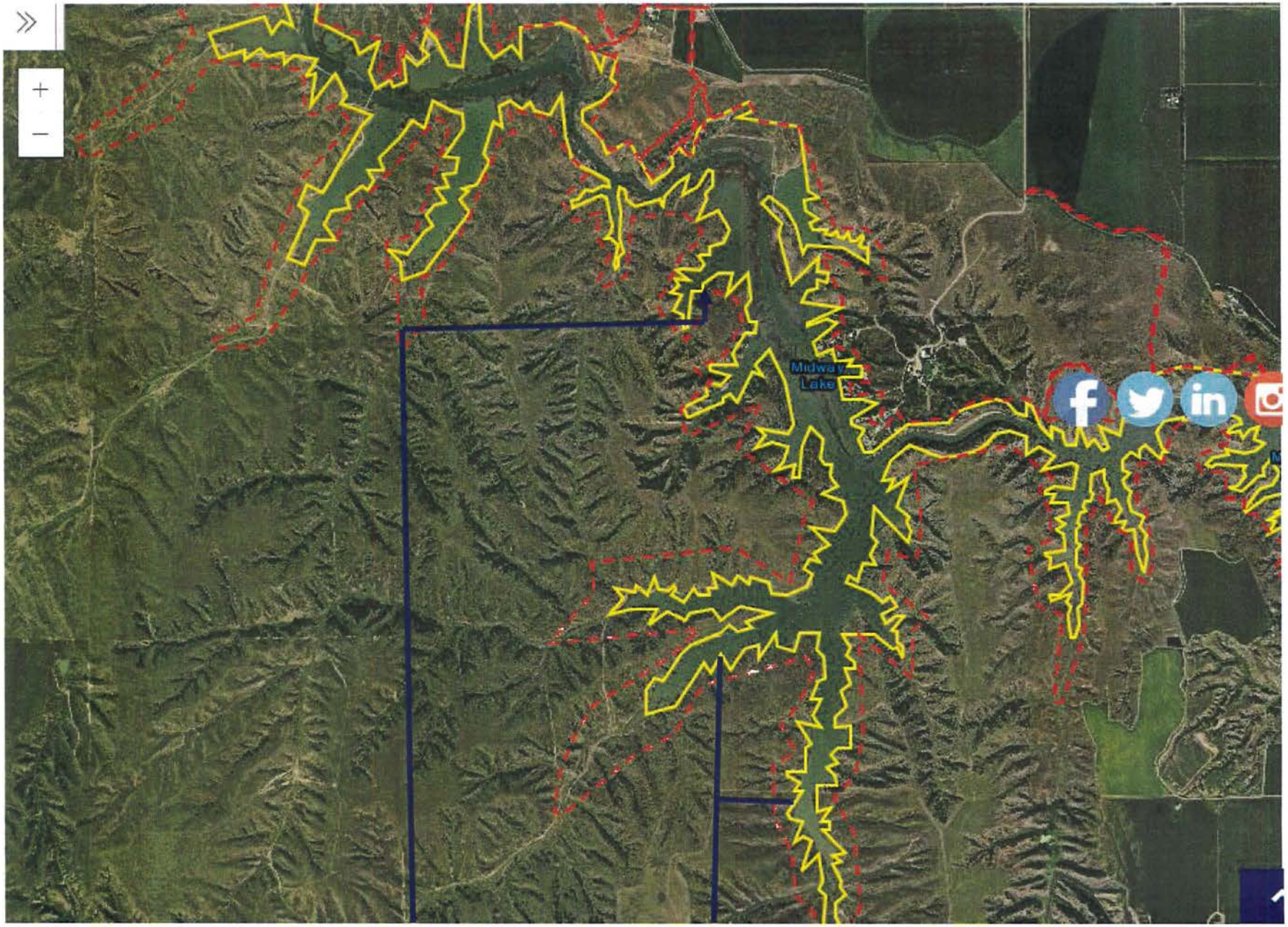
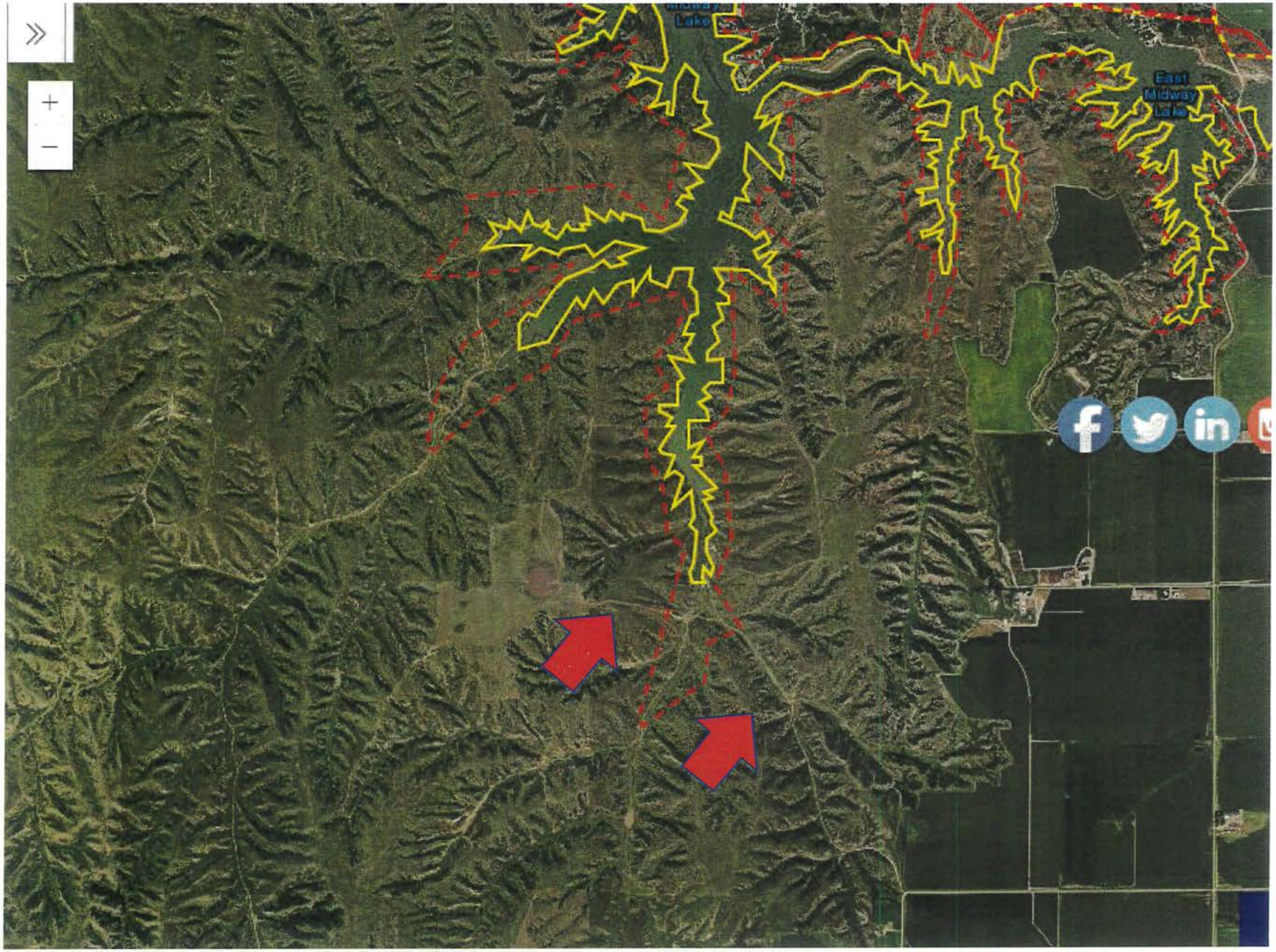
https://www.cnppid.com/boundary-review/

https://www.cnppid.com/wp-content/uploads/2019/04/Boundary-Review-Midway-Lakes.pdf

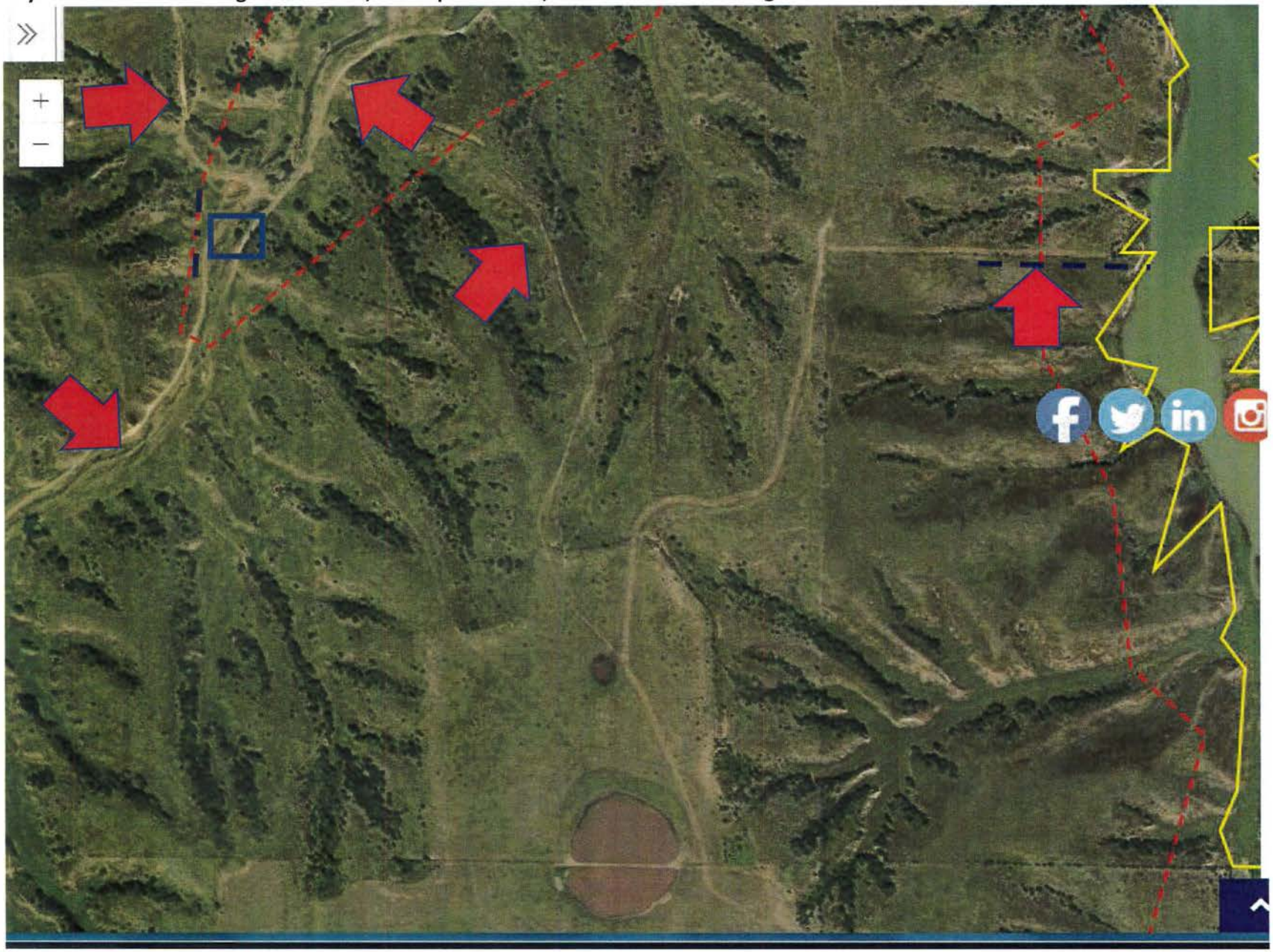
CNPP&ID Old and New Boundaries (Blue boundaries for Bonnie J. Hueftle, Kent W. Hueftle and Stacey J. (Hueftle) Stockdill



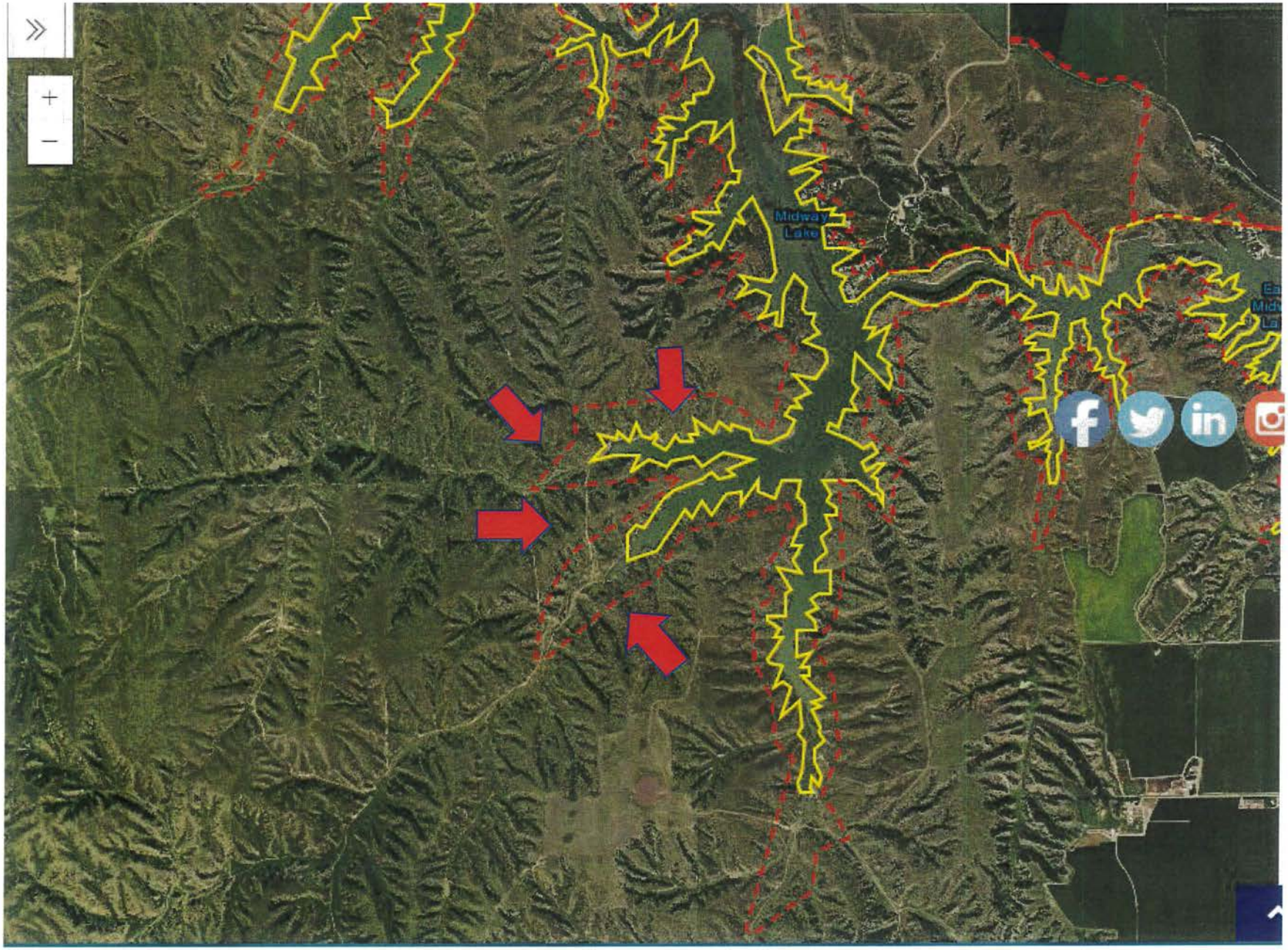
Concern regarding road access from the East (on a parcel we do not own) to all parcels that we do own.



Concerns regarding access roads to all or part of all parcels, loss of corral (240042514 -- North 1/2; Sec: 8) and possible damage to fences.
Key: Red Arrows – existing access roads; blue square corral; blue dotted line existing fences



Concern regarding access to remote rugged areas of our property if access roads highlighted by red arrows are compromised.



April 20, 2019

re: boundary review at Albee's

To Whom it May Concern,

Our home is located at 118 Albee's 3, Lewellen, NE 67147. It is our understanding that due to the bank erosion near the beach front,Albee's 4, some areas needing attention and repair or preventive maintenance. Our home is located well beyond any erosion ever occurring, see attached photos. After reviewing the suggested boundary shown at the meeting it places our home in a category of possible erosion, which would be impossible for erosion to occur.

This would create issues for us regarding higher insurance, resale value would decline and refinancing would be difficult. Our home is well maintained with shrubs, trees and nice lawn.

My wife and I sincerely hope that you will take into consideration revising the boundary as not to include our home.

Thank you for giving us the opportunity to express our concerns.

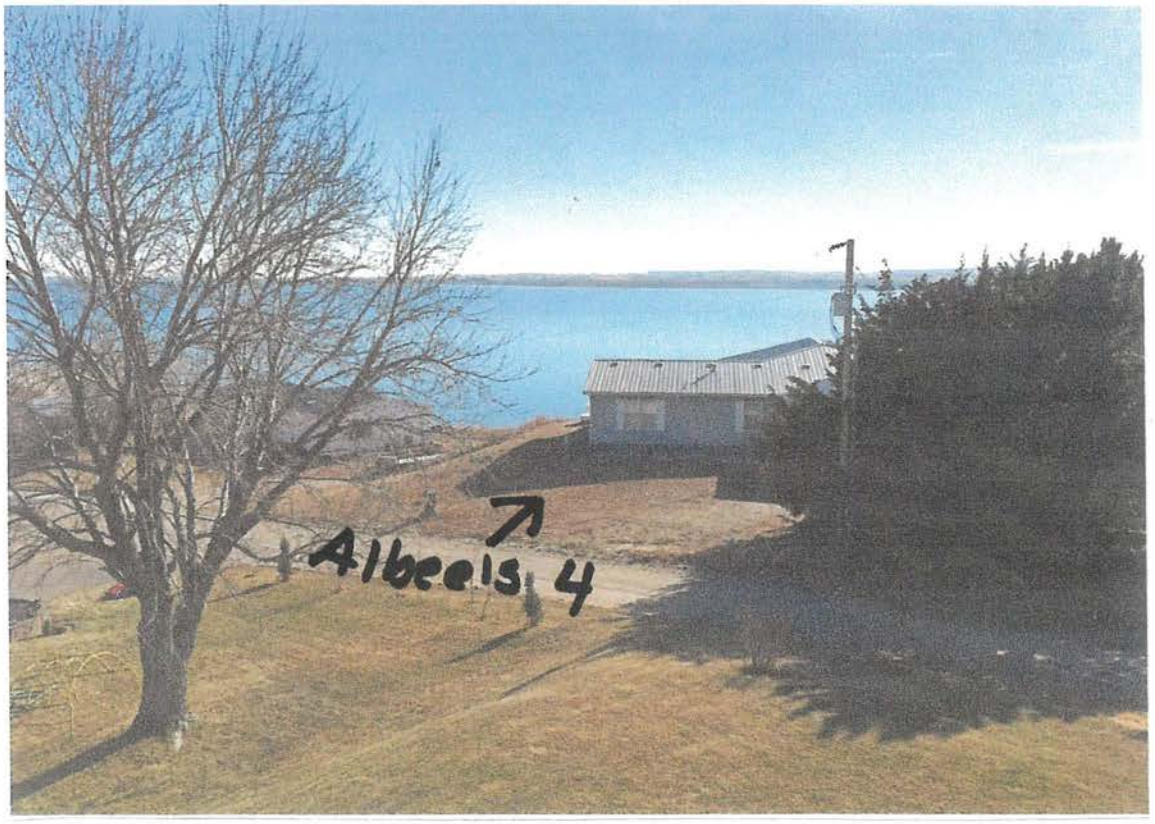
Sincerely,

John E. Oldham & Janet Stevens

John Oldham and Janet Stevens

View of our home from Albee's 4

View from our deck to Albee's 4



Crappie st.
118 Albees 3
Current
Proposed Boundry
Carp st.
Reconsider Proposal
Albee's 4-Reconsider Proposal
Google
Google
41°17'52"N 101°57'38"W 3,876

Lake Front

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Document Information

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E-filing: Yes
Non-decisional: No

Description:

Protest of Mary E Cudzilo under P-1417. Comments on CNPPID proposed FERC Boundary line change to encompass entire residential properties.

Submittal **Category:** Hydro **Library:**

Document Type:

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Comments/Protest	Comment on Filing

Docket Numbers: Click here to eSubscribe to a Docket

Docket	SubDocket	Type
P-1417	000	On Document

Correspondent:

Type	Last Name	FI	MI	Affiliation
AUTHOR	Cudzilo	M	E	Individual No Affiliation
AGENT	Cudzilo	M	E	No Organization Found
RECIPIENT	Bose	K	D	Office of the Secretary, FERC

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20190102 3040 FERC PDF (Unofficial) 12/31/2018 8:45:30 PM

Date: Dec 31st, 2018

Subject: The Central Nebraska Public Power and Irrigation District Proposed Shoreline Management Plan and subsequent movement of existing FERC Boundary to Encompass Residential and Agricultural Lands.

As a person who lives at Jeffrey Reservoir full-time and has for 15 years, I would like to comment on the new FERC boundary proposal for my property, 99 Pelican Drive. I attended at meeting at CNPPID in Gothenburg, NE to discuss this on Dec 7th, 2018. I have one of the lowest elevation lots on Jeffrey Reservoir. The current FERC boundary goes through a portion of my house but the new proposed line would encompass my entire property. Please see the attached picture of my house (red garage) and the old (yellow) and new (red dashed) proposed FERC line. I believe encompassing my whole 3 acres along with all the structures on my property within the FERC line is contrary to FERC's request to reduce the amount of residential property within the FERC boundary, and provides no additional benefit to FERC nor CNPPID. No issues with the current boundary have been identified to me nor any of my neighbors.

In addition, for ease of use, the current FERC boundary could be moved to a fixed elevation such as 2762' (high water mark + 2 feet) thus reducing the amount of residential property within the FERC zone. This last year a major effort was accomplished along the east residential side providing higher and Army Corp of Engineers compliant seawalls resulting in better erosion and flood control. FEMA does not consider any part of Jeffrey Reservoir to be within a risk zone requiring flood insurance and the only flooding of my property has occurred when CNPPID has not controlled the water flow due to ice in the check points or in the hydro-plant. These situations have caused the Reservoir to rise up to 2 feet over the high-water mark of 2760'. These are unusual situations due to severe ice on the Reservoir. However, even with this 2-foot rise, water has only has reached ~30 feet from the shoreline which is well within CNPPID control already.

At the meeting, CNPPID makes the case about what happens if the dam breaches and water rises very quickly in the reservoir. However, looking at the Mead & Hunt 2010 study of Jeffrey reservoir, the worst-case scenario would not impact the residents of Jeffrey Reservoir. Any breaching of the dam would have the majority of the water running downhill to the north onto farmland as that is the lowest elevation at the dam and not towards the eastern residential community. In addition, with todays forecasting and technology connectivity, notification could be almost instantaneous with the breach thereby allowing sufficient time to retreat to higher land. Jeffrey Reservoir is in a canyon and has many high spots easily available in an emergency situation.

In closing, CNPPID is responsible to invite all public comment on this change to the FERC line yet no notifications have been received by all residents of Jeffrey Reservoir. One private meeting was held but the only invitees were the Jeffrey Lake Development Incorporated Association and not all residents. No postcards were received by myself nor my neighbors. Additional public comment needs to be solicited to better understand all the impacts of including all residential property within the FERC boundary here at Jeffrey Reservoir.

Respectfully,

Mary E. Cudzilo

File 99 Pelican Drive picture.PDF cannot be converted to PDF.

Jeffrey
Reservoir

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Attorneys at Law
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North Platte, Nebraska 69103-1669
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LARRY R. BAUMANN
TIM W. THOMPSON
TODD D. TURNER
CINDY R. VOLKMER*
MICHAEL LAFLEUR

OF COUNSEL:
DONALD H. KELLEY**
GARY D. BYRNE
LARRY A. TODD
RETIRED:
GARY L. SCRITSMIER
*Also Admitted in Colorado
**Only Admitted in Colorado

December 31, 2018

Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: FERC Lines at Jeffery Lake Generally Referred to as 1417-000

Dear FERC:

The purpose of this letter is to make a comment on a pending FERC proposed boundary drawn around Jeffery Lake. My clients are Bret and Deb Baxter and they live at the far south end of the lake in the old Novacek ranch. Their primary concern is that where the current FERC line is drawn seems to indicate that the water would encroach on their only access road to their ranch. I would direct your attention the FERC efiling by Central Nebraska District Public Power Irrigation District dated June 30, 2017, at sheet 10, where it shows at the south part of that map a road that crosses the black outlined area.

These comments are in reference to the Jeffrey Lake project which appears to be referred to as Project #1417 Article 421, FERC, Project Boundary Review of the Remainder Project (Supply Canal Except Johnson Reservoir).

We represent Bret and Deb Baxter who own property generally to the south end of the Jeffrey Lake Reservoir and specifically in Section 17-11-27 of Lincoln County, Nebraska. The Baxter's are recent purchasers of the property from Jim and TeAnne Reed who had purchased the property from J M Novacek and his wife Leanne Novacek.

Our major concern is in Section 17-11-27 and specifically in the area of the SE1/4 or in the SW1/4 where the access road curves over to our ranch property and headquarters. According to the latest proposed FERC line within a short time after leaving the county road to circle towards our headquarters it reflects the new FERC line as covering our road. Also, as you continue to the west it appears that the yellow FERC line completely covers our road for quite some distance.

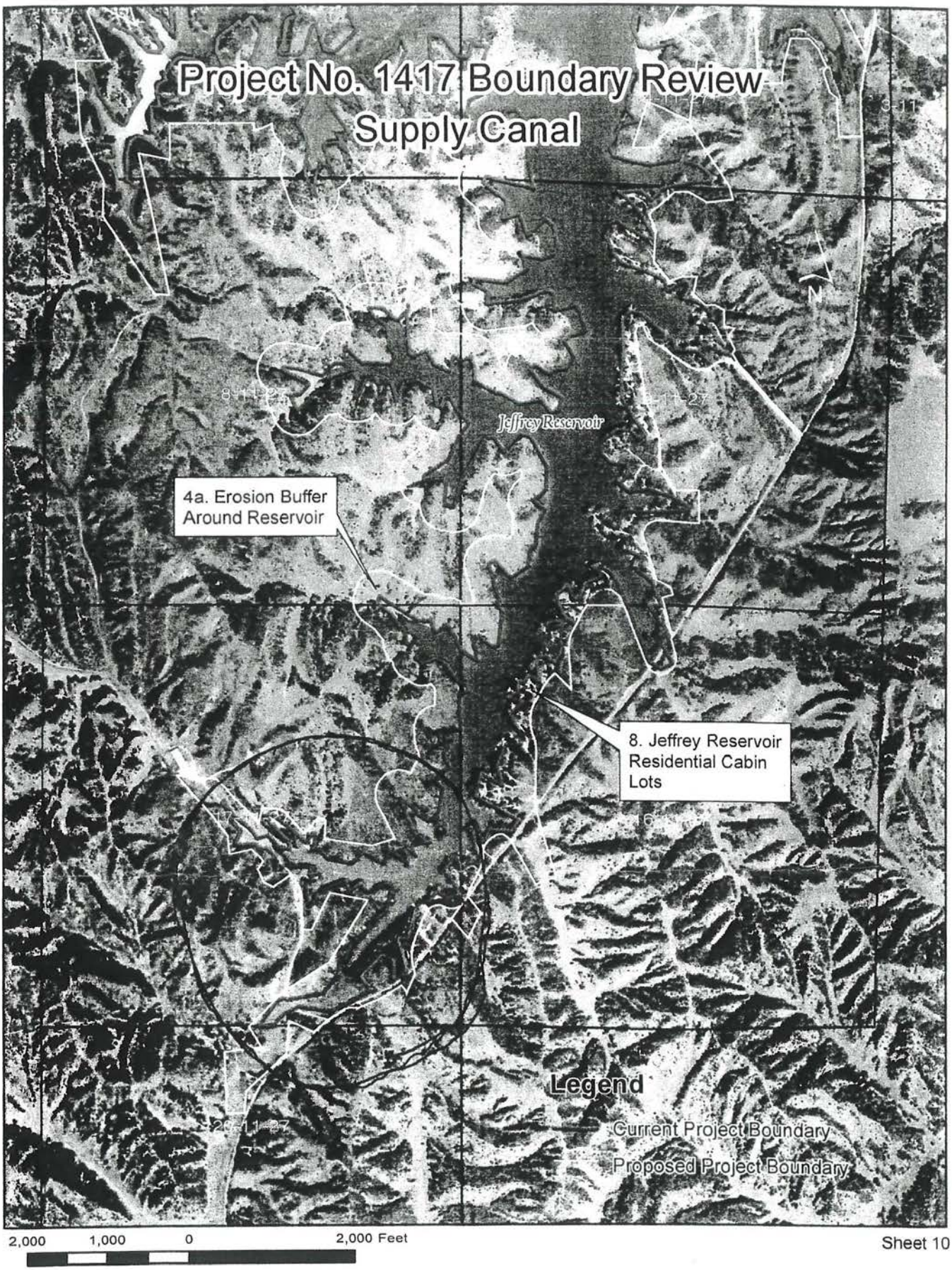
received
1-2-19

This road is our only access road into the headquarters and according to any FERC line the water may be backed over our road. Since this is the only access we would recommend that the FERC line be pushed to the north in both locations so that our road is not under the flood zone as shown by the FERC lines. (See sheet 10 from the CNPPID June 30, 2017 submission).

We would further suggest that in order for the water to back up at that level it would take an extraordinary event which would be contributed to by certain failures to act in the past. For example, in the area where the dam is located, which is in 4-11-27 the depth in that area previously was bordering on 50 feet. Currently it is believed that the depth is closer to 10 to 15 feet. The sediment is now displacing a significant amount of water which would therefore mean that if an event occurred the water which would have been held at the 50 foot depth now would be pushed back and potentially in the area of our road. We believe that the FERC line should not cover our road and it is a concern to us because it is our only access road.

We are not certain of what the purpose would be for the latest FERC lines but it is our opinion that they are set arbitrarily without thought to where the lines run and the impact they might have on people in this area. We think that it is imperative that the line be moved to areas involving our access road to the extent that they are no longer covered by the ew FERC lines.

We would suggest that much of the issue concerns erosion buffer around the reservoir and were unclear as to whether any erosion control has been done by Central over the last few decades and therefore we would propose that the line be moved further to the north and free up the road so that it is not at risk. We would further suggest the new proposed FERC line west of the reservoir is unnecessary and should at least be restored to the previous FERC line. If proper maintenance and erosion control is done and dredging of the sediment buildup the new lines would not be necessary.


Project No. 1417 Boundary Review
Supply Canal
Jeffrey Reservoir
4a. Erosion Buffer Around Reservoir
8. Jeffrey Reservoir Residential Cabin Lots
Legend
Current Project Boundary
Proposed Project Boundary
2,000 1,000 0 2,000 Feet

Sheet 10