



Perkins Chase and  
Dundy Counties  
Headquarters in Imperial

# Upper Republican NATURAL RESOURCE DISTRICT

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## **Board of Directors Regular Meeting May 3, 2016 at 7:30 p.m. 511 East 5<sup>th</sup> Street, Imperial, NE**

Agendas were sent to all Board Members and all others requesting agendas. Agendas were posted in the NRD Office in Imperial, the NRCS Offices in Grant and Imperial, and the FSA Office in Benkelman. The meeting was announced over KADL-Imperial, KRVN-Lexington and KOGA-Ogallala and published in area newspapers.

**Board Members Present:** Kerry Bernhardt, Brett Bullock, Tom Gaschler, Jason Kunkel, Dean Large, Terry Martin, Tom Schroder, Tom Terryberry and Jeff Wallin.

**Board Members Absent:** Loren Jessen.

**NRD Staff:** Jasper Fanning, Nate Jenkins and Deb Hayes.

**NRD Legal Counsel:** Joel Burke.

**Others present:** Andy Keep (NRCS), Brad Johnson, Rob Schilke, Curtis Johnson, and Doug Baney.

### **Information mailed to Directors:**

Agenda	Variance request information
Minutes of April 5 <sup>th</sup> Regular Board meeting	Report of District applications, contract, agreement

### **Information distributed at Board meeting:**

Agenda	Variance requests information
Minutes of April 5 <sup>th</sup> Regular Board meeting	Report of District applications, contract, agreement
Financial reports	NRD Blue River Basin Tour information
NRCS report	

Chairman Martin called the meeting to order at 7:30 p.m.

Chairman Martin announced that the Open Meetings Act is posted if anyone would like to review them.

### **OPEN FORUMS:**

Guests, Board members and NRD staff were introduced.

### **MINUTES:**

- Terryberry moved to approve the April 5, 2016 Regular Board meeting minutes as mailed. Seconded by Wallin.

Roll call vote: 7-yes, 1-abstain, 1-absent. Motion carried.

### **FINANCIAL REPORT:**

The Manager presented the Financial Reports to the Board.

- Gaschler moved to approve the Treasurer's report and to pay the accounts payable. Seconded by Wallin.

Roll call vote: 8-yes, 2-absent. Motion carried.

**PUBLIC COMMENT:** No public comments.

### **NRCS REPORT:**

Andy Keep gave the NRCS report and reported on the initiatives to improve habitat for Monarch butterflies and pollinators. Andy also reviewed the Pheasants Forever youth pollinator habitat plantings.

- Large moved to approve the NRCS report dated May 2, 2016 to include the Conservation Plans as signed for Chase, Dundy and Perkins Counties. Seconded by Bernhardt.

Roll call vote: 8-yes, 2-absent. Motion carried.

Terry Martin read the thank you from Linda Fegler for the tree donation on Arbor Day.

Jason Kunkel arrived at 7:49 p.m.

### **GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:**

Jasper updated the Board on Champion Lake. Chase County wants more allocation for the lake. Jasper recommended to have them operate and see what their needs are for an allocation. The NRD would then have a number established and could work with them on an allocation and if there would need to be offsets.

- Large moved to have Management work with the Chase County Commissioners and to work on a 3 year period to set their allocation. Seconded by Schroder.

Roll call vote: 8-yes, 1-abstain, 1-absent. Motion carried.

### **VARIANCE COMMITTEE:**

Jeff Wallin gave the Variance Committee report.

1. New Way Inc., R. J. Schilke, is requesting a variance to transfer 96.9 certified allocated acres with the remaining allocation of 20.96 inches per acre and the prorated carryforward of 4.5 inches per acre from the NW ¼ Section 1-6-38 to the NE ¼ of Section 10-6-39 and to decertify 8.4 acres based on the streamflow depletion factor.

- Wallin moved to approve the variance request of New Way, Inc., RJ Schilke, to transfer 96.9 certified allocated acres with the remaining allocation of 20.96 inches per acre and the prorated carryforward of 4.5 inches per acre from the NW ¼ Section 1-6-38 to the NE ¼ of Section 10-6-39 and to decertify 8.4 acres based on the streamflow depletion factor. Approval is contingent on lease search being approved. Seconded by Gaschler.

Roll call vote: 9-yes, 1-absent. Motion carried.

2. Doug Baney is requesting a variance to transfer 102.1 certified allocated acres with the remaining allocation of 22.89 inches per acre from the NE ¼ of Section 30-2-37 to the NW ¼ of Section 11-7-39 and to decertify 16.6 acres based on the streamflow depletion factor going from

20% to 34% and there will be no new acres irrigated. The original well would be converted to a stock well. The receiving area of this transfer is in an area of groundwater declines and the Committee has requested information on how much decline has occurred in that area for the next meeting. This Variance will be an agenda item for the June Board meeting.

3. Nina Oakley Trust is requesting a variance to transfer 33.4 certified allocated acres with the remaining allocation of 44.33 inches per acre from the NW ¼ of Section 32-1-37 to the NE ¼ of Section 11-7-39 and to decertify 6.6 acres based on the historical use and is going from a 92% streamflow depletion factor to 34% and there will be no new acres irrigated. The original well will be decommissioned or converted to a stock well. This is also in a higher decline area and the Committee requested more information on this. This Variance will be an agenda item for the June Board meeting.

#### **REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:**

- Terryberry moved to approve the URNRD Report of District applications, contracts and agreements dated May 3, 2016 to include the NSWCP applications, pooling contract and well decommission applications. Seconded by Wallin.

Roll call vote: 9-yes, 1-absent. Motion carried.

#### **LEGAL COUNSEL REPORT:**

Jasper reported that the NCORPE TERC hearing will be held May 23<sup>rd</sup> in Lincoln.

#### **REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT:**

Jasper reported to the Board on the Compact meeting last month. Jasper reviewed the issues with Kansas and how the Bureau of Reclamation is handling the water Nebraska is sending to Kansas. Jasper also discussed the legislation at the Federal level that will deal with this.

Jasper reported that there needs to be 300 cfs at Orleans on an average from now until the end of June to get out of the water short year. We are within a little more than 700 acre feet to meet our obligation from NCORPE for by June 1<sup>st</sup>. If we don't get the runoff we likely won't affect the water short year determination but if the rest of the year is not real wet we will probably have to pump the water in the fall anyway. Jasper recommended to the Board to consider to pump a little bit more over the next month to hit the 31000 acre feet target. This would mean pumping NCORPE wells for a bit longer to impact the water short year.

#### **AUGMENTATION PROJECTS:**

They had started shutting down NCORPE wells with May 20<sup>th</sup> being the last day but this is on hold until a decision is made on pumping to impact the water short year.

The NRD staff has been doing some clean-up work at Wilders and some minor repairs at Rock Creek.

#### **ASSISTANT MANAGER'S REPORT:**

Nate reported that he has submitted for a grant application for the recorder wells and should find something out next month on these.

The Basin wide meetings have been put on hold as the stakeholders group felt it wasn't productive. Director Fassett stepped in to see if the group was going in the right direction and are all the concerns being addressed. He is taking this to the stakeholder group to see if they want to continue with the process.

**INFORMATION AND EDUCATION REPORT:**

Tom Gaschler reported that they are looking for nominations for Director of the Year and the I & E Committee recommends nominating Terry Martin.

- Gaschler moved to nominate Terry Martin for the Director of the Year. Seconded by Bernhardt.

Roll call vote: 8-yes, 1-abstain, 1-absent. Motion carried.

**LEGISLATION:**

Legislative Session is done for this year. Jasper discussed the editorial in the Omaha World Herald on grand funding applications.

**STATE ASSOCIATION:**

The NARD Tour will be held June 13<sup>th</sup> and 14<sup>th</sup> and this it is the NRD Blue River Basin Tour. If anyone is interested in attending let Deb know.

Jasper discussed sustainability grant application with the Board and how it might work with some projects on the north pipeline and the analysis Flatwater Group is doing for us.

**BOARD OF DIRECTORS:**

Jasper has reported that Dirk resigned and that we are advertising for 2 positions, one is a Technician/Project Operations Technician and the other is for a Water Resources Manager/Assistant Manager position.

We will also have a person this year doing an internship starting sometime in July for a few weeks.

Chairman Martin adjourned the meeting at 9:22 p.m.

Respectfully submitted

Tom Terryberry  
Secretary/Treasurer