



Perkins Chase and
Dundy Counties
Headquarters in Imperial

Upper Republican NATURAL RESOURCE DISTRICT

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Board of Directors Regular Meeting May 2, 2017 at 7:30 p.m. 511 East 5th 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, Tom Gaschler, Loren Jessen, Jason Kunkel, Dean Large, Tom Terryberry and Jeff Wallin.

Board Members Absent: Brett Bullock and Tom Schroder.

NRD Staff: Jasper Fanning, Nate Jenkins, Bruce Curtis, Julia Franck and Deb Hayes.

NRD Legal Counsel: Joel Burke.

Others present: Andy Keep (NRCS), Ben Beckman, Ben Bliven and Brandon Larsen.

Information mailed to Directors:

Agenda Report of District applications, contracts, agreements
Minutes of April 4, 2017 meeting

Information distributed at Board meeting:

Agenda Variance information
Minutes of April 4, 2017 meeting Report of District applications, contracts, agreements
Financial reports NARD Basin Tour information
NRCS report

Chairman Martin called the meeting to order at 8:10 pm.

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

Brett Bullock and Tom Schroder are excused from tonight's meeting.

OPEN FORUMS:

Guests, Board members and NRD staff were introduced.

MINUTES:

- Terryberry moved to approve the minutes of the April 4, 2017 Regular Board meeting as presented. Seconded by Wallin.

Roll call vote: 7-yes, 1-abstain, 2-absent. Motion carried.

FINANCIAL REPORT:

The Manager presented the Financial Reports to the Board.

- Gaschler moved to pay the Accounts Payable and to accept the Treasurer's report. Seconded by Bernhardt.

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

PUBLIC COMMENT: None.

NRCS REPORT:

Andy Keep gave the NRCS report this evening. Andy reported that the NRCS staff has been busy with compliance work and will be finishing up a lot of program work for CSP applications.

Ben Beckman with the UNL Water Center was at tonight's meeting and will be touring the District tomorrow.

- Terryberry moved to approve the NRCS report date May 1, 2017 to include the Conservation Plans for Perkins and Dundy County. Seconded by Wallin.

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

GROUNDWATER MANAGEMENT/RULES AND REGULATIONS: None.

VARIANCE COMMITTEE:

Jeff Wallin gave the Variance report for the Spuds and Suds Variance request. Brandon Larsen and Ben Blevins are present tonight. Spuds and Suds has asked to waive the 30-day waiting period. Jeff asked Jasper to explain the request to the Board. Jasper reported that this is a big request but it deals with all the property on Wilder Farms in Dundy County. Their overall plan is to take the pipeline completely apart but they have run into a few issues doing so. There will be 6 locations where they will want to drill a supplemental well to break the pipeline apart. They will have about 2500 acres that they will no longer irrigate on the entire farm. They have about 1300 acres on the south part of the state line and 11 wells down there that will be abandoned. Of these 11 wells, they would like to move 6 of them to other locations to be supplemental wells where they are breaking the pipeline apart and the other 5 they would like to utilize on the tracts that are next to them on the south part of the state line farm. There was a correction on one of the pooling contracts and that was corrected. Jasper reviewed the maps for what the plan is for the South pipeline, Cruz 21 and 22 and Cruz 10, 12 and 16. Pro Health farm is close by and they have some extra water which they can transfer to the Allard and Tracy portions of the Wilder Farms. The Dolson (Pool-127 F1) is north of the Allard pool and within 6 miles of the Allard North and they could pool it under our rules. The PH 55 (NW 11-3-41) lies right next to the Allard South and that can be pooled, Pro Health North to the Allard south pool is next to each other and the Pro Health North to the Tracy pool is about 5 miles from the sound end to the north end and it would be just over 6 miles; which would be moving water from an 8% SDF to a 20% SDF. (Request is attached to the minutes)

- Wallin moved to approve the Variance Committee's recommendation to waive the 30-day waiting period for Spuds and Suds variance request.

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

- Wallin moved to approve the Variance Committee’s recommendation to approve the Variance request for Spuds and Suds with the stipulations that the replacement wells point of use be within ¾ mile of pivot point, the irrigated acres on the entire farm would be no more than 11,800, that the transfer labeled C (D-3 F1) would take a 12% reduction based on the SDF change from the donor location to the receiver location.

Discussion.

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

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- Terryberry moved to approve the URNRD Report of applications, contracts and agreements dated May 2, 2017 to include the NSWCP applications, pooling contracts and well decommissioning applications. Seconded by Wallin.

Roll call vote: 7-yes, 1-abstain and 2-absent. Motion carried.

LEGAL COUNSEL REPORT:

Joel reported that he has not heard anything from TERC yet. He has sent a letter to account S221 on the accounts receivable and hasn’t received anything back from them so could file small claims.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT: No report.

AUGMENTATION PROJECTS:

Jasper reported NCORPE has shut down and Rock Creek was shut down except for two wells. The Nebraska Supreme Court followed the District Court ruling and dismissed the Estermann case and NCORPE has the authority for eminent domain and everything was done legally. NCORPE has been contacted about wind farms and could possibly hold 130 wind turbines. HDR was hired to help with the wind farm proposals and any agreements that might be considered.

ASSISTANT MANAGER’S REPORT:

Nate reported on a pilot project with telemetry on wells to get real time water usage. We have been working with SWPPD and McCrometer and there will be 18 units this summer and test the technology out.

INFORMATION AND EDUCATION REPORT: No report.

LEGISLATION:

Jasper reviewed LB 98 with the Board which will affect the 3-cent levy on the budget.

STATE ASSOCIATION:

Terry Martin went over the information for the Northeast Nebraska NRD Basin Tour that will be held June 12th and 13th. The tour this year will be with Lewis & Clark NRD, Papio-Missouri NRD, Lower and Upper Elkhorn NRDs, and Lower Niobrara NRD and the tour will start and end in Norfolk.

BOARD OF DIRECTORS:

There is a managers' meeting on June 6th and 7th so we will need to change our June Board meeting date.

Chairman Martin adjourned the meeting at 10:00 pm.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer