



Perkins Chase and  
Dundy Counties  
Headquarters in Imperial

# Upper Republican NATURAL RESOURCE DISTRICT

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## **Board of Directors Regular Meeting February 3, 2015 at 10:00 am 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, and Jeff Wallin.

**Board Members Absent:** Loren Jessen, Tom Schroder and Tom Terryberry.

**NRD Staff:** Nate Jenkins, Dirk Dinnel and Deb Hayes.

**NRD Legal Counsel:** Joel Burke.

**Others present:** Andy Keep (NRCS), Brad Johnson.

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

Agenda	Variance request information
Minutes of January 6 Board meeting	Report of District applications contracts agreements

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

Agenda	Draft Rules & Regulations
Minutes of January 6, 2015 Board meeting	USGS Joint Funding Agreement
Financial reports	Variance request information
NRCS reports	Report of District applications contracts agreements

Chairman Martin called the meeting to order at 10:07 a.m.

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

Loren Jessen, Tom Schroder and Tom Terryberry are excused from today's meeting.

### **OPEN FORUMS:**

Guests, Board members and NRD staff were introduced.

### **MINUTES:**

- Large moved to approve the minutes of the January 6, 2015 Regular Board meeting as mailed. Second by Wallin.

Roll call vote: 7-yes, 3-absent. Motion carried.

**FINANCIAL REPORT:**

The Staff presented the Financial Reports to the Board.

- o Gaschler moved to pay the Accounts payable and to approve the Treasurers report. Second by Wallin.

Roll call vote: 7-yes, 3-absent. Motion carried.

**PUBLIC COMMENT: None**

**NRCS REPORT:**

Andy Keep reviewed the Mutual Agreement and Cooperative Agreement with the Board this month.

- o Wallin moved to approve the NRCS report dated February 2, 2015 to include the conservation plans as signed for Chase and Perkins County. Second by Bernhardt.

Roll call vote: 7-yes, 3-absent. Motion carried.

**GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:**

Dean Large reviewed the chemigation rules and fee schedule and this will be added as Section 13 to the Rules and Regulations. There are also definition changes to flowmeters.

- o Large moved to take Order 33 to public hearing at the March Regular Board meeting with the chemigation changes and changes to flowmeter definitions. Second by Bernhardt.

Roll call vote: 7-yes, 3-absent. Motion carried.

The Board reviewed the USGS Joint Funding agreement.

- o Gaschler moved to approve the US Department of the Interior, US Geological Survey Joint Funding agreement for 8 recorder wells in the amount of \$9480.00. Second by Wallin.

Roll call vote: 7-yes, 3-absent. Motion carried.

**VARIANCE COMMITTEE:**

Jeff Wallin gave the Variance Committee report:

Don Hutchens variance request had some changes and requires more information so this will be an agenda item for the March 10<sup>th</sup> Regular Board meeting.

Jim Baney is requesting to transfer 131.4 certified allocated acres and 39 inches of carryforward allocation from the SW ¼ 14-2-38 to the NE ¼ 32-4-36. He would either decommission or convert to range livestock the well that waters the SW ¼ 14-2-38. This was the first hearing and this will be an agenda item for the March 10<sup>th</sup> Regular Board meeting.

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

- o Large moved to approve the Report of District applications, contracts and agreements dated February 3, 2015 to include the NSWCP applications and pooling contracts. Second by Wallin.

Roll call vote: 7-yes, 3-absent. Motion carried.

**LEGAL COUNSEL REPORT:**

Joel discussed the TERC hearing with the Board. TERC will set up another hearing with the tenants named as parties and then they will issue a ruling on what was used by the tenants could be taxed.

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

Nate reported that we should hear from Supreme Court at any time.

**AUGMENTATION PROJECTS:**

Dirk reported that Rock Creek was shut down on January 27<sup>th</sup> and discussed flash grazing the Wilder property with the Board.

- Bernhardt moved to start negotiating flash grazing the Wilder property. Second by Wallin. Roll call vote: 7-yes, 3-absent. Motion carried.

Nate reported that on the NCORPE project they have been talking to Game and Parks about 8500 acres for public access and in return Game and Parks will provide approximately \$60,000 to hire an employee to do maintenance work on that property. He asked Game and Parks about doing something at Rock Creek and hasn't received a response back.

Since the wells are shut off Nate will go see if what needs to be taken care of on the Krutsinger property and Fish Hatchery. Grosch Irrigation was awarded the bid to pull the wells, motors and pumps on the Wilder property.

On NCORPE the grain bins have been removed and they will be removing the concrete and crushing it.

**FULLYAND OVER APPROPRIATED DISTRICT REPRESENTATION:**

Nate discussed with the Board the Interlocal agreement with 9 NRD's that are fully and over appropriated and hiring Jon Bruning's new law firm to represent them in Lincoln. The fee is \$5000 from each member for 2 years.

- Gaschler moved to enter into the Interlocal agreement and contribute \$5000 for 2 years. Second by Large.

Roll call vote: 7-yes, 3-absent. Motion carried.

Terry Martin discussed a letter from James Schneider, Acting Director Department of Natural Resources, concerning the water resources cash fund support for compact call years. The Department plans to commit up to one million dollars to the NRD to support management actions taken to comply with the 2014/2015 compliance period.

- Large moved to have management explore the letter from James Schneider. Second by Wallin.

Roll call vote: 7-yes, 3-absent. Motion carried.

**ASSISTANT MANAGER'S REPORT: None**

**INFORMATION AND EDUCATION REPORT:**

Tom Gaschler gave the Information & Education Committee report. There will be a UNL Water Tour this on the Republican River starting at Holdrege and coming west and have requested a donation of \$1500 from each of the NRD's. The Committee is in favor of this as long as they tour the NCORPE facility.

- Gaschler moved to donate \$1500 for the UNL Tour. Second by Bernhardt.

Roll call vote: 7-yes, 3-absent. Motion carried.

**BOARD OF DIRECTORS:**

Terry discussed the URNRD Committees and has put Tom Schroder on the Groundwater Committee and Terry Martin is the NCROPE representative with Dean Large being the alternate.

The Board discussed the March Board meeting and due to meeting conflicts the first Tuesday the Board meeting will be held March 10<sup>th</sup> at 10:00 am.

Chairman Martin adjourned the meeting at 11:24 am.

Respectfully submitted

Tom Terryberry  
Secretary/Treasurer