



Perkins Chase and
Dundy Counties
Headquarters in Imperial

Upper Republican NATURAL RESOURCE DISTRICT

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Board of Directors Regular Meeting April 7, 2015 at 10:00 a.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, Brett Bullock, Tom Gaschler, Dean Large, Terry Martin, Tom Schroder, Tom Terryberry and Jeff Wallin.

Board Members Absent: Loren Jessen and Jason Kunkel.

NRD Staff: Jasper Fanning, Dirk Dinnel and Deb Hayes.

NRD Legal Counsel: Joel Burke.

Others present: Andy Keep (NRCS), Brad Johnson, Duane Dinnel, Jack Fanning and George Seward.

Information mailed to Directors:

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| Agenda | Variance Information |
| Minutes of March 10, 2015 Meeting | Report of District applications, contracts, agreements |

Information distributed at Board meeting:

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| Agenda | Proposed Rules/Regulations Order #33 |
| Minutes of March 10, 2015 Regular meeting | Variance information |
| Financial reports | Report of District applications, contracts, |
| NRCS report | agreements |

Chairman Martin called the meeting to order at 10:03 a.m.

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

Loren Jessen and Jason Kunkel are excused from today's meeting.

OPEN FORUMS:

Guests, Board members and NRD staff were introduced.

MINUTES:

✚ Terryberry moved to approve the March 10, 2015 Regular Board meeting minutes as presented. Second by Bernhardt.

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

FINANCIAL REPORT:

The Manager presented the Financial Reports to the Board.

- ✚ Large moved to approve the Accounts Receivable and pay the Accounts Payable. Second by Wallin.

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

PUBLIC COMMENT: None.

NRCS REPORT:

Andy gave the NRCS report. Andy reported on the National Civil Rights Review and that it was a success in Nebraska. Andy also reported on implementing “field first” concepts in Nebraska NRCS and upcoming listening sessions. Craig Derickson, State Conservationist, will be here on April 15th for a listening session. There is a local workgroup meeting at the NRD on April 14th.

- ✚ Large moved to approve the NRCS report dated April 3, 2015 to include the Conservation Plans as signed for Chase, Perkins and Dundy Counties. Second by Wallin.

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

GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:

The Board reviewed the Proposed Rules and Regulations, Order 33, and the changes to the chemigation fees.

- ✚ Terryberry moved to approve the State of Nebraska Upper Republican Natural Resources District Rules and Regulations Order #33 for Groundwater Control as presented to include the fee changes for chemigation inspections that are sufficient to cover the reasonable costs of administering the permit program under the Chemigation Act. Second by Large.

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

VARIANCE COMMITTEE:

Jeff Wallin gave the Variance Committee report.

- #1 – John Arterburn has withdrawn his variance request.
- # 2 – Jack Fanning (Canyon Rim Ranch) is requesting to transfer 55.8 certified allocated acres from the SE ¼ of Section 17-6-36 to the NW ¼ of Section 27-7-40. Mr. Fanning is also requesting that the 30 day waiting period be waived.

- ✚ Wallin moved to waive the 30 day waiting period. Second by Bernhardt.

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

- ✚ Wallin moved to approve the variance request of Jack Fanning (Canyon Rim Ranch) to transfer 55.8 certified allocated acres from the SE ¼ of Section 17-6-36 to the NW ¼ of Section 27-7-40 and to decertify 22.2 certified allocated acres. Second by Schroder.

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

- #3 – Kenneth Gardner Estate by John McGrath PR, is requesting to transfer 26.9 certified allocated acres and 39 inches of carryforward allocation from the SE ¼ of Section 15-2-36 to the NE ¼ of Section 14-5-41. Mr. McGrath is request to transfer 27.0 certified acres and 39 inches of

carryforward allocation from the NW ¼ of Section 28-2-36 to the NE ¼ of Section 14-5-41 and would either decommission or convert to range livestock the wells G-049774 and G-044178.

The Board reviewed the variance with Rod Johnson who was representing this variance. This will be an agenda item for the May 5th Regular Board meeting.

#4 – Sands Estate and George Seward are requesting a variance to transfer 23.2 certified acres from the NE ¼ of Section 17-6-36 to the NW ¼ of Section 14-4-42. The certified allocated acres would be distributed to the corners. The Board reviewed this request with Duane Dinnel and George Seward. This will be an agenda item for the May 5th Regular Board meeting.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- ✚ Terryberry moved to approve the Upper Republican NRD Report of District applications, contracts and agreements dated April 7th to include the NSWCP applications and the well decommissioning applications. Second by Gaschler.

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

LEGAL COUNSEL REPORT:

Joel Burke reported that Dundy County made an offer on the TERC hearing. There will be a hearing date set for June.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT:

Jasper reported that the three states met last week to discuss a longer term agreement in terms of crediting augmentation projects and storage in Harlan County.

AUGMENTATION PROJECTS:

Jasper reported that yesterday was the last scheduled day for pumping at NCORPE. The Department had installed 2 new stream gauges on Medicine Creek and by slowing changing the level of pumping over the course of a couple of weeks allowed them to take measurements and generate a more accurate curve for those stream gauges downstream.

Nebraska-Bostwick talked to the Lower Republican NRD about NCORPE pumping up to 5000 acre feet of water. This will be discussed the NCORPE Board at the NCORPE meeting.

We have received 2 bids on the Rock Creek land lease and Jasper and Dirk are reviewing them.

The NCORPE Board has discussed with Ameritas the possibility of issuing bonds to refinance the construction loan with 5% interest rate and there are different options for number of years for the loan.

ASSISTANT MANAGER'S REPORT:

Dirk has been working on the subdistrict map and reviewed this with the Board.

STATE ASSOCIATION:

BOARD OF DIRECTORS:

Jasper would like to meet with the Budget Committee after the meeting today and the Groundwater Committee needs to set up a time for a committee meeting.

Chairman Martin adjourned the meeting at 11:18 am.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer