



Perkins Chase and  
Dundy Counties  
Headquarters in Imperial

# Upper Republican NATURAL RESOURCE DISTRICT

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## **Board of Directors Regular Meeting May 5, 2015 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 and Jeff Wallin.

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

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

**NRD Legal Counsel:** Joel Burke.

**Others present:** Andy Keep (NRCS),

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

Agenda	Variance information
Minutes of 5-5-15	Report of District applications, contracts, agreements

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

Agenda	Variance Information
Minutes of 5-5-15 Board meeting	GW Committee notes
Financial reports	Report of District applications, contracts, and agreements
NRCS report	

Chairman Martin called the meeting to order at 7:34 p.m.

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

Loren Jessen and Tom Terryberry are excused from tonight's meeting.

### **OPEN FORUMS:**

Guests, Board members and NRD staff were introduced.

### **MINUTES:**

- Wallin moved to approve the minutes of the April 7, 2015 Regular Board meeting as presented. Second by Gaschler.

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 approve the Treasurers report and to accept the accounts payable. Second by Wallin.

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

**PUBLIC COMMENT:** None.

**NRCS REPORT:**

Andy Keep gave the NRCS report. The Local Working Group met on April 14<sup>th</sup> and recommended ways to prioritize and improve programs. Andy thanked everyone who participated at the meeting and he has sent a report to the State Technical Committee. Andy also reviewed the highly erodible land and wetland compliance checks.

- Gaschler moved to approve the NRCS report of Planning Activity dated May 1, 2015 to include Conservation plans as signed. Second by Wallin.

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

**GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:**

Dean Large, GW Committee Chairman reviewed the draft GW Committee notes with the Board.

**VARIANCE COMMITTEE:**

Jeff Wallin gave the Variance Committee report.

#1 Kenneth Gardner Estate is requesting a variance to transfer 26.9 certified allocated acres from the SE ¼ of Section 15-2-36 to the NE ¼ of Section 14-5-41 and to transfer 27.0 certified acres 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.

- Wallin moved to approve the variance request of Kenny Gardner Estate to transfer 26.9 certified allocated acres from the SE ¼ of Section 15-2-36 (G-049774) to the NE ¼ Section 14-5-41 and to decertify 21.2 certified allocated acres from the SE ¼ of Section 15-2-36 and to either decommission well G-049774 or convert to a range livestock well; and to transfer 27.0 certified acres from the NW ¼ 28-2-36 (G-044178) to the NE ¼ 14-5-41 and to decertify 21.02 certified allocated acres from the SE ¼ of Section 15-2-36 and to either decommission well G-044178 or convert to a range livestock well.

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

#2S ands Estate and George Seward are requesting to transfer 23.2 certified allocated acres from the NE ¼ 17-6-36 to the NW ¼ 14-4-42 the certified allocated acres would be distributed to the corners. There will be a loss of 315.42 inches of carryforward on a total of 44.4 acres and 21.2 allocated acres will be decertified and no more acres will be irrigated on the NW ¼ 14-4-42.

- Wallin moved to approve the Variance request of Sands Estate and George Seward to transfer 23.2 certified allocated acres from the NE ¼ of Section 17-6-36 to the NW ¼ of Section 14-4-42 with the certified acres being distributed to the corners, decertify 21.2 allocated acre, there will be a loss of 315.42 inches of carryforward on a total of 44.4 acres.

Roll vote: 8-yes, 3-absent. Motion carried.

#3 Tritome LLC is requesting to water the NE ¼ section 25-2-39 and the SE ¼ 25-2-39 with the well G-045842. The NE ¼ of Section 25-2-39 is currently watered by well G-045842 and the SE ¼ of Section 25-2-39 is currently watered by G-068776. Tritome LLC is requesting not to have acres reduced on the NE ¼ 25-2-39 due to historical use reduction or allocation on the SE ¼ 25-2-39 reduced to the historical use of the NE ¼ 25-2-39. Tritome LLC is also requesting to waive the 30 day waiting period.

▪ Wallin moved to waive the 30 day waiting period for Tritome LLC. Second by Bernhardt.  
Roll call vote: 8-yes, 2-absent. Motion carried.

The Board took a 10 minute recess at 8:25 p.m.

The Board was back in session at 8:34 p.m.

- Wallin moved to approve the variance request of Tritome LLC to water the NE ¼ of Section 25-2-39 and the SE ¼ of Section 25-2-39 with well G-045842 to have no acres reduced and no reduction in carryforward and to decommission well G-068776. Second by Schroder.

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

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

- Bernhardt moved to approve the Report of District applications, contracts, and agreements to include the NSWCP applications, pooling contracts and well decommissioning applications. Second by Kunkel.

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

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

Joel reported that there will be a TERC hearing on June 11<sup>th</sup> and he will submit the record from last year's hearing and the 2014 forms.

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

Jasper reported that the States are continuing to meet to discuss long term decisions and are getting close to an agreement and they are also trying to figure out how the Bureau of Reclamation would fit into a long term agreement.

#### **AUGMENTATION PROJECTS:**

Rock Creek and NCORPE are both shut off. They are doing touch up work on NCORPE wells and currently they are putting riffraff where it needs to be. On Rock Creek, Game and Parks wants some infrastructure replaced that they say was removed when we did some work on the hatchery. They will possibly be requesting an allocation. They had requested an allocation in early 2000 and the state statute was unclear they could receive one at that time. Under our current Rules and Regulations they could receive an allocation.

**ASSISTANT MANAGER’S REPORT:**

Nate reported that the Basin wide planning group has met and are discussing goals. Nate also reported that we have spent all of the NET funds and the new website is up and going.

**INFORMATION AND EDUCATION REPORT:**

Tom Gaschler reported that the Committee had a brief meeting with Ted Tietjen on a water balance study.

**STATE ASSOCIATION:**

Nate discussed the NARD Hall of Fame and suggested that the Board nominate John Turnbull.

- Gaschler moved to nominate John Turnbull for the NARD Hall of Fame. Second by Wallin.

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

**BOARD OF DIRECTORS:** None.

Chairman Martin adjourned the meeting at 9:31 p.m.

Respectfully submitted

Tom Terryberry  
Secretary/Treasurer