



Perkins Chase and
Dundy Counties
Headquarters in Imperial

Upper Republican NATURAL RESOURCE DISTRICT

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Board of Directors Regular Meeting November 7, 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, Loren Jessen, Tom Gaschler, Jason Kunkel, Dean Large, Terry Martin, Tom Schroder, Tom Terryberry and Jeff Wallin.

Board Members Absent: Brett Bullock.

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

NRD Legal Counsel: Joel Burke.

Others present: Andy Keep (NRCS), Brad Johnson, Randy Robinson, Kirk Olson, Marvin Knoll, Andy Olson, Scott Strain, Kendra Strommen, Steve Mossman, Dan Estermann, M. Estermann, Joe Estermann, and John Engbrecht.

Information mailed to Directors:

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| Agenda | Report of District applications, contracts, agreements |
| Minutes of October 3, 2017 Regular meeting | Letter from Landowners for a Common Purpose |
| Variance Information | |

Information distributed at Board meeting:

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| Agenda | Variance information |
| Minutes of October 3, 2017 Regular meeting | Report of District applications, contracts, agreements |
| Financial reports | Bond resolution & information |
| Audit report | Long Range Plan |
| NRCS report | Letter from Landowners for a Common Purpose |

Chairman Martin called the meeting to order at 7:50 pm.

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

Brett Bullock is excused from tonight's meeting.

INTRODUCTIONS:

Guests, Board members and NRD staff were introduced.

MINUTES:

- Wallin moved to approve the October 3, 2017 Regular Board meeting minutes as presented. Seconded by Gaschler.

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

FINANCIAL REPORT:

Jasper presented the Financial Reports to the Board.

- Terryberry moved to pay the Accounts Payable and the Treasurer's report. Seconded by Jessen.

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

- Gaschler moved to accept the FY 16-17 audit report. Seconded by Kunkel.

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

PUBLIC COMMENT: None.

NRCS REPORT:

Andy Keep gave the NRCS report and gave an update from the State Conservationist. There was discussion on reorganization within USDA and workload assessments and workforce planning.

- Terryberry moved to approve the NRCS report dated November 1, 2017 to include the Conservation Plans as signed for Chase, Dundy and Perkins county. Seconded by Wallin.

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

GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:

Dean Large, Chairman of the Groundwater Committee reported that the committee met tonight and reviewed pooling, carry over and groundwater quality monitoring program. They also discussed the possibility of a one year pilot project to spend time in the field and do checks for meter accuracy.

VARIANCE COMMITTEE:

Jeff Wallin, Chairman of the Variance Committee presented the variance request of Betty Haarberg and Julia Brethhower. They currently have one well in the NE ¼ of Section 32-7-40 and it serves two pivots. They are asking to replace the one well with two wells. They are asking to drill a replacement well approximately 600' east of the existing well and decommission the existing well in the NE ¼ of Section 32-7-40 and they are asking to drill a new well in the SE ¼ of Section 32-7-40 to water the quarter. Jeff also reported that they are asking to waive the 30-day waiting period.

- The Variance Committee made the recommendation to waive the 30-day waiting period.

Roll call vote: 6-yes, 2-no, 1-absent, 1-abstain, Motion carried.

Voting yes: Bernhardt, Gaschler, Jessen, Martin, Schroder and Terryberry. Voting no: Kunkel and Large. Abstain: Wallin. Absent: Bullock.

- The Variance Committee made the recommendation to approve the variance request of Betty Haarberg and Julia Brethhower to drill a replacement well in the NE ¼ of 32-7-40 and decommission the old well and drill a new well in the SE ¼ of 3-7-40. These wells will have no carryforward and cannot be pooled.

Roll call vote: 7-yes, 1-no, 1-absent, 1-abstain. Motion carried.

Voting yes: Bernhardt, Gaschler, Jessen, Large, Martin, Schroder, and Terryberry. Voting no: Kunkel. Abstain: Wallin. Absent: Bullock.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- Large moved to approve the Report of District applications, contracts and agreements to include the pooling contracts and well decommissioning applications. Seconded by Schroder.

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

LEGAL COUNSEL REPORT:

Joel had no report this evening.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT:

Jasper reviewed the discussion from the Republican River Compact meeting.

AUGMENTATION PROJECTS:

Jasper and Terry Martin presented the Resolution to authorize the defeasance and call for redemption of all or a portion of the Series 2013D Bonds and the issuance of refunding bonds in an amount not to exceed \$17,000,000 and approval of related documents for the purpose of advance refunding all or a portion of the outstanding Series 2013D Bonds.

- Terryberry moved to approve Bond Resolution No. 11072017-01. Seconded by Wallin.

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

ASSISTANT MANAGER'S REPORT:

The Long-Range Implementation Plan for 2018-2022 was presented to the Board. This plan is updated yearly and submitted to DNR.

- Terryberry move to approve the Long-Range Implementation Plan for 2018-2022. Seconded by Wallin.

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

INFORMATION AND EDUCATION REPORT:

Tom Gaschler reviewed the Farming Evolution 2018 sponsor levels with the Board. The NRD has sponsored this event the past several years.

- Gaschler on behalf of the Information and Education Committee recommends sponsoring the Farming Evolution event for \$500.

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

LEGISLATION: No report.

STATE ASSOCIATION: No report.

BOARD OF DIRECTORS:

The Landowners for a Common Purpose was present to discuss the surface rights at NCORPE. They discussed with the Board the economic impact the augmentation wells have on Lincoln County and the possibility of selling some of the NCORPE land to private landowners.

- Terryberry moved to go into Executive session to review TERC litigation case with the Board, Legal Counsel and staff present. Seconded by Jessen.

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

The Board took a 10-minute break and then went into Executive Session at 9:40 p.m.

- Wallin moved to come out of Executive Session at 11:00. Seconded by Terryberry.

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

Chairman Martin adjourned the meeting at 11:00 p.m.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer