



Perkins, Chase and
Dundy Counties
Headquarters in Imperial
www.urnrd.org

Upper Republican
NATURAL RESOURCES DISTRICT

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**Board of Directors Regular Meeting
December 3, 2019 at 9:00 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 and posted on the District website. The meeting was announced over KADL-Imperial, KRVN-Lexington and KOGA-Ogallala and published in area newspapers.

Board Members Present: Kerry Bernhardt, Jason Kunkel, Dean Large, Jay Lee, Terry Martin, Harry Merrihew, Brock Stromberger, Janice Stroup, Tom Terryberry and Tyler Turner.

Board Members Absent: Tom Schroder.

NRD Staff: Jasper Fanning, Nate Jenkins, Bruce Curtis, Julia Strand and Deb Hayes. Joel Burke, legal counsel.

Others Present: Jeff Bubak, Wayne Haarberg, Brent Marvin and Blake Marvin.

Information mailed to Directors:

Agenda	Variance request information
Minutes of November 5 th Regular Board Meeting	
Variance request information	

Information distributed at Board meeting:

Agenda	Audit report
Minutes of November 5 th Regular Board Meeting	NRCS report
Financial reports	Variance request information

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

MINUTES:

- Stromberger moved to approve the November 5, 2019 Regular Board meeting minutes as presented. Seconded by Bernhardt

Roll call vote: 10-yes, 1-absent. Motion carried.

FINANCIAL REPORT:

The Financial report was presented to the Board.

- Merrihew moved to accept the Treasurer's Report and pay the Accounts Payable. Seconded by Lee.

Roll call vote: 10-yes, 1-absent. Motion carried.

AUDIT REPORT:

Jasper reviewed the FY 18-19 audit report with the Board.

- Terryberry moved to approve the Fiscal year 2018-2019 audit. Seconded by Stromberger. Roll call vote: 10-yes, 1-absent. Motion carried.
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PUBLIC COMMENT: No comments.

NRCS REPORT:

Terryberry moved to approve the NRCS Report of Planning Activity dated December 3, 2019 and to include the Conservation Plans as signed for Chase County. Seconded by Bernhardt. Roll call vote: 10-yes, 1-absent. Motion carried.

UPPER REPUBLICAN NRD RULES AND REGULATIONS: None.

VARIANCE COMMITTEE:

Kerry Bernhardt gave the Variance Committee report. 323 Enterprises LLC is requesting a variance to transfer 130.6 certified acres out of the rapid response area from NE 4-5-39, Chase County to the SE ¼ 4-4-38, Dundy County. They are requesting to transfer all 130.6 certified acres instead of the 108.56 allowed based on historical use and to drill a new well on the SE 4-4-38, which is a dryland quarter and convert the well in NE 4-5-39 to a livestock well.

- Bernhardt on behalf of the Variance Committees recommendation to approve the Variance request of 323 Enterprises LLC with the following recommendations: Transfer 125 certified acres from the NE ¼ 4-5-39, Chase County to the SE ¼ 4-4-38, Dundy County, no end gun, 13" allocation with no carryforward, no pooling unless within floating township, decertify 5.6 acres, and drill a new well on the SE 4-4-38, Dundy County and decommission the well in NE 4-5-39 or convert to a livestock well.

Discussion.

Roll call vote: 9-yes, 1-no, 1-absent. Motion carried. Voting yes, Bernhardt, Kunkel, Merrihew, Martin, Schroder, Stromberger, Stroup, Terryberry and Turner. Voting no: Large, Absent: Schroder.

Margaret and Brent Marvin are requesting a Variance to transfer 77.4 acres from the NW 34-7-39 and 5 acres from the NE ¼ 34-7-39 to the NW ¼ 35-7-39. Then after removing end gun from the NW 35-7-39 will establish a new pivot on the SW 35-7-39 with 97.4 certified acres that will be watered from the NW ¼ 35-7-39. This will be an agenda item for the January Board meeting for Board action.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS: NONE

LEGAL COUNSEL REPORT:

Joel reported to the Board that the correct resolution was received from Dundy County commissioners.

REPUBLICAN RIVER BASIN MEETING AND COMPACT MEETING REPORT:

Jasper reported on the 3 State Compact call and Nebraska had a few things on the flood flows and will be presenting a proposal for flood flows. Kansas would like to see several things revisited.

AUGMENTATION PROJECTS: Nothing new on augmentation.

There will be 2 NCORPE meetings in December and they will be reviewing an offer from Renewable Energy Wind and Solar project on NCORPE property.

ASSISTANT MANAGER'S REPORT:

Nate is working on purchase agreements for the Retirement Program.

INFORMATION & EDUCATION: No report.

LEGISLATION: No report.

STATE ASSOCIATION: No report.

BOARD OF DIRECTORS: None.

Chairman Martin adjourned the meeting at 10:45 am. The next Regular Board meeting will be Tuesday, January 7, 2020 at 9:00 am.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer