

Upper Republican
NATURAL RESOURCES DISTRICT

P.O. Box 1140
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Imperial, NE 69033
Phone 888-883-9066

**Board of Directors Regular Meeting
February 7, 2023 at 9:00 am
511 East 5th Street, Imperial, NE**

Agendas were sent to all Board Members and 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: Jason Kunkel, Harry Merrihew, Terry Martin, Brock Stromberger, Janice Stroup, Tom Schroder, CJ Swanson and Tyler Turner.

Board Member Absent: Dean Large and Jay Lee.

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

Others Present: Joel Burke (Legal Counsel) Andy Keep (NRCS), Kort Kemp, James Mandeville, Shane Galles, Chance Thayer and Brad Williams.

Information emailed to Directors:

Agenda

Regular Board Meeting minutes January 11, 2023

Draft Rules/Regulations Order 36

Variance information

Information distributed at Board meeting:

Agenda

Regular Board Meeting minutes January 11, 2023

Financial reports

NRCS report

Draft Rules/Regulations Order 36

Report of District Applications, Contracts
and Agreements

Rock Creek Augmentation Annual report

Irrigation retirement map

URNRD Committees list

Chairman Martin called the regular meeting to order at 9:00 a.m.

Chairman Martin announced that the Open Meetings Act was posted in the NRD Office.

Jay Lee and Dean Large are excused from the meeting.

Introductions of Board Members, Staff and Public.

MINUTES:

- Stromberger moved to approve the January 11, 2023, Regular Board meeting minutes as presented. Seconded by Brown.

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

Janice Stroup arrived at 9:04 am.

FINANCIAL REPORT:

The Financial Report was presented to the Board.

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

Roll call vote: 9-yes, 2-absent. Motion carried.

NRCS REPORT:

Andy Keep gave the NRCS report and presented information on funds available to restore and protect rangeland.

- Brown moved to approve the NRCS Report of Planning Activity dated February 7, 2023, to include the Conservation Plans as signed for Chase and Perkins County. Seconded by Swanson.

Roll call vote: 9-yes, 2-absent. Motion carried.

PUBLIC COMMENTS: None.

GROUNDWATER MANGEMENT/RULES AND REGULATIONS:

Jasper reviewed the Draft Rules and Regulations Order 36 with the Board. There were several items reviewed and discussed concerning latest changes.

- Kunkel moved to amend Rule 11 under Variances to add 11.1 (c) all variances would require a 2/3 majority vote for approval.

Motion failed due to lack of second.

- Brown moved to schedule the URNRD Public Hearing for the Rules and Regulations Order #36. Seconded by Stromberger.

Discussion.

Roll call vote: 9-yes, 2-absent. Motion carried.

VARIANCE COMMITTEE:

Brock presented the Variance application from Allen Reuter to the Board. Mr. Reuter is requesting to drill a new irrigation well on NW 28-8-41 and instead of decommissioning or converting the current irrigation well he would like to connect the two wells. He plans to limit the current irrigation well to 300 gpm and use it to supplement the new irrigation well as need to keep up with pumping demands. They have drilled a test well and have found better water availability to drill the new well in the SW part of the NW ¼ which will move the main pumping location away from the other wells in the section. The NW 28-8-41 has 128.8 certified acres, a 5-year average use of 10.32 inches and a carryforward balance of 101.18 inches. The number of acres will not change. This is the first reading of this Variance, and it will be an agenda item for the March Regular Board meeting.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- Swanson moved to approve the URNRD Report of District applications, contracts and agreements dated February 7, 2023, to include the NSWCP applications, well decommissioning and Board of Educational Lands and Funds contracts. Seconded by Brown.

Roll call vote: 9-yes, 2-absent. Motion carried.

LEGAL COUNSEL REPORT: None.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT: None.

AUGMENTATION PROJECT:

Maintenance is being done at Rock Creek and NCORPE to make sure all augmentation wells are working properly.

ASSISTANT MANAGER'S REPORT:

ROCK CREEK ANNUAL REPORT/HEARING:

Terry Martin opened the Public Hearing at 9:45 for the Rock Creek Augmentation 2022 Annual Report. The Public Hearing notice was published for 2 weeks in all local newspapers and at the NRD Office in Imperial. Nate reviewed the 2022 annual report. Chairman Martin asked for testimony on the annual report. Kort Kemp asked questions concerning Rock Creek. Chairman Martin asked again for any testimony and there was none. Chairman Martin closed the Public Hearing at 9:53.

- Turner moved to approve the Rock Creek Augmentation 2022 Annual report. Seconded by Stromberger.

Roll call vote: 9-yes, 2-absent. Motion carried.

IRRIGATION RETIREMENT:

Nate reported on the irrigation acre retirement. Nate was contacted by a realtor about retirement of acres. The Board held discussion on the retirement of acres.

- Stromberger moved to go into Executive Session with the Board, Staff and Legal Counsel present for the purpose of negotiations on irrigation retirement acres. Seconded by Brown.

Roll call vote: 9-yes, 2-absent. Motion carried.

The Board went into Executive Session at 10:06 am.

- Schroder moved to come out of Executive Session at 10:20 am. Seconded by Stromberger.

Roll call vote: 9-yes, 2-absent. Motion carried.

- Schroder moved to authorize NRD staff to negotiate the acres retired on the property discussed. Seconded by Stromberger.

Roll call vote: 9-yes, 2-absent. Motion carried.

INFORMATION & EDUCATION: None

LEGISLATION: None.

STATE ASSOCIATION:

BOARD OF DIRECTORS/ELECTION OF OFFICERS:

Chairman Martin turned the meeting over to the Vice Chairman at 10:26.

Vice Chairman Kunkel asked for nominations for Chairman. Brown nominated Terry Martin for Chairman.

- Merrihew moved that nominations cease and cast a unanimous vote for Terry Martin as Chairman. Seconded by Turner.

Roll call vote: 9-yes, 2-absent. Motion carried.

Vice Chairman Kunkel turned the meeting back over to Chairman Martin.

Chairman Martin asked for nominations for Vice Chairman. Swanson nominated Dave Brown as Vice Chairman.

- Swanson moved to nominate Dave Brown for Vice Chairman. Seconded by Stroup.

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

Chairman Martin asked for nominations for Secretary/Treasurer. Stromberger nominated CJ Swanson.

- Stromberger moved to nominate CJ Swanson for Secretary/Treasurer. Seconded by Brown.

Roll call vote: 8-yes, 1-abstain and 2-absent. Motion carried.

Chairman Martin asked for nomination for NARD delegate.

- Turner moved to nominate Terry Martin as NARD delegate. Seconded by Stromberger.

Roll call vote: 9-yes, 2-absent. Motion carried.

Chairman Martin asked for nominations for NARD alternate delegate.

- Brown moved to nominate Jason Kunkel as NARD alternate delegate. Seconded by Turner.

Roll call vote: 8-yes, 1-abstain, 2-absent. Motion carried.

Chairman Martin asked for nominations for NCORPE representative.

- Stroup moved to nominate Terry Martin as the NCORPE representative. Seconded by Brown.

Roll call vote: 9-yes, 2-absent. Motion carried.

Chairman Martin asked for nominations for NCORPE alternate.

- Brown moved to nominate Brock Stromberger as NCORPE alternate. Seconded by Swanson.
Motion was withdrawn with approval of second.

- Brown moved to nominate Dean Large as NCORPE alternate. Seconded by Stromberger.

Roll call vote: 9-yes, 2-absent. Motion carried.

URNRD COMMITTEES:


Chairman Martin asked if anyone wanted to change committees or be on a new committee contact Terry Martin.

Jasper reported that Dean Large asked to step down from Chairman of the Groundwater Control Committee. Chairman Martin appointed Dave Brown as new Chairman for the Groundwater Control Committee.

Chairman Martin adjourned the meeting at 10:40 am.

Respectfully submitted.

CJ Swanson
Secretary/Treasurer


3-14-23