

Upper Republican  
NATURAL RESOURCES DISTRICT

P.O. Box 1140  
511 East 5<sup>th</sup> St.  
Imperial, NE 69033  
Phone 888-883-9066

**Board of Directors Regular Meeting**  
**March 2, 2021 at 9:00 am**  
**511 East 5<sup>th</sup> 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:** Terry Martin, Jason Kunkel, Jay Lee, Harry Merrihew, CJ Swanson, Tom Schroder, Tyler Turner, Brock Stromberger. *Janice Stroup*

**Board Members Absent:** Dean Large and Dave Brown.

**NRD Staff:** Jasper Fanning, Nate Jenkins, Bruce Curtis, Julia Strand, and Deb Hayes.

**Others Present:** Andy Keep (NRCS), Debi Colbert, Jonathon Colbert, Chance Thayer, and John Engbrecht.

**Information emailed to Directors:**

Agenda

Variance request information

Minutes of February 2nd Regular Board Meeting

Well connection request

**Information distributed at Board meeting:**

Agenda

Allocation request

Minutes of January 5th Regular Board Meeting

Variance application information

Financial reports

Report of District application/contract/agreement

NRCS report


Chairman Martin called the meeting to order at 9:05 am.

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


Dean Large and Dave Brown are excused from this month's meeting.

Introductions of Board, staff and others present were done.

**MINUTES:**


 Merrihew moved to approve the February 2, 2021 Regular Board meeting minutes as requested to be amended by Debi Colbert.

Motion failed due to lack of a second.

 Kunkel moved to approve the February 2, 2021 Regular Board meeting minutes as presented. Seconded by Lee.  
Roll call vote: 8-yes, 2-absent, 1-abstain. Motion carried.

### **FINANCIAL REPORT:**

The Financial Report was presented to the Board.


 Stromberger moved to accept the Treasurer's Report and pay the Accounts Payable. Seconded by Kunkel.  
Roll call vote: 9-yes, 2-absent. Motion carried.

### **PUBLIC COMMENT:**

Debi Colbert expressed concerns about not being able to attend the meeting virtually, declining groundwater levels, and reminded Board members of their responsibilities and the various missions of the NRD. She said she will monitor the NRD and how it can improve its processes.


### **NRCS REPORT:**

Andy Keep presented the NRCS report and reviewed the updated Statement of Work with the Board.


 Turner moved to accept the updated Statement of Work. Seconded by Swanson.  
Roll call vote: 9-yes, 2-absent. Motion carried.

### **GROUNDWATER MANGEMENT/RULES AND REGULATIONS:**


Jasper presented the allocation request of J Bar J Landfill to the Board. J Bar J Landfill is requesting to drill a new industrial well at their landfill and to have a 40-acre-foot annual industrial allocation. The landfill would utilize the water in a manner that would be beneficial to the site, neighboring landowners, and its customers with uses such as establishing slope vegetation and minimizing dust. Jasper also said they will watch the allocation and if J Bar J exceeds the limit then the Board can require an offset for allocation.

 Kunkel moved to approve the J Bar J Landfill request to drill a new industrial well and to have a 40-acre-foot allocation. Seconded by Stromberger.  
Roll call vote: 9-yes, 2-absent. Motion carried.

Mike Jeffres is requesting to transfer 110 certified acres from the SE ¼ 21-12-40 to the NE ¼ of Section 20-12-40. They have a section that was certified for flood irrigation and it has a section machine on it. They would like to take the acres that are in the corners of the section machine and some of the acres that are watered by the end gun and move those acres to a more efficient center pivot across the road and use an existing well. This would make the certified acres in SE 21-12-40 501.4 and the certified acres in the NE 20-12-40 110 certified acres.

 Lee moved to approve the transfer application presented by Mike Jeffres. Seconded by Schroder.  
Roll call vote: 9-yes, 2-absent. Motion carried.

Pro Health and Spuds and Suds are asking to redo all the pooling agreements. Previously Pro Health and Spuds and Suds did not have any pool together and it will not give the more water.

 Stromberger moved to approve the pooling contracts, D-86, D-151, D-152, D-153, D-154 of Pro Health and Spuds and Suds. Seconded by Lee.



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

**VARIANCE COMMITTEE:**

Stromberger presented the Variance request of Floyd Adler.

Mr. Adler is requesting to transfer 54.4 certified acres from the SE 8-7-41 and 58.8 certified acres from the SW 27-7-41 to the SW 11-7-41 without reductions due to historical use or SDF increases since the 3 fields are in the same pool. Mr. Adler would also like to transfer 93.8 certified acres from the SE 20-8-41 to the SW 11-7-41 without a reduction due to SDF increase. This would be a total of 207 certified acres. On all transferred acres Mr. Adler would like to keep the current carry forwards and not be limited to the 39.0 inches of carryforward. He is also requesting to waive the 30-day waiting period.

✚ Stromberger and the Variance Committee recommended waiving the 30-day waiting period for Mr. Adler.

Roll call vote: 8-yes, 1-no, 2-absent. Motion carried.

Voting yes: Merrihew, Martin, Schroder, Stromberger, Stroup, Swanson, and Turner. Voting no: Kunkel. Absent Large and Brown.

✚ Stromberger and the Variance Committee is recommending approving the Variance request of Floyd Adler to transfer 54.4 certified acres from the SE 8-7-41 and 58.8 certified acres from the SW 27-7-41 to the SW 11-7-41 since the 3 fields are in the same pool. On the SE 20-8-41 it will stand alone and due to the SDF will allow to transfer 81.7 certified acres to SW 11-7-41, 12.1 certified acres will be decertified. This would be a total of 194.9 certified acres transferred to SW 11-7-41. This approval is contingent of the lien search being completed.

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

**REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:** No report

✚ Stromberger moved to approve the URNRD Report of District applications, contracts and agreements dated March 2, 2021 and to include the NSWCP applications and the well decommissioning application. Seconded by Turner.

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

**LEGAL COUNSEL REPORT:** No report.

**MANAGER'S REPORT:**

Jasper reported to the Board that there is nothing new to report regarding the Republican River Basin or the Compact. Nate is working on the IMP revisions with the other NRDs in the Republican River Basin and with DNR to get them all consistent. DNR would like the Accounting and Compliance section to be a technical appendix so when the three states make changes the accounting those changes can be made without a hearing.

**ASSISTANT MANAGER'S REPORT:**

✚ Nate presented the Rock Creek 2020 Annual report. Kunkel moved to approve the Rock Creek Augmentation 2020 Annual Report. Seconded by Stromberger.

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

This report will require a Public Hearing and the hearing will be held on April 6<sup>th</sup> with the Regular Board meeting.

**INFORMATION & EDUCATION:** No report.

**LEGISLATION:** No report.

**STATE ASSOCIATION:**

NARD staff have moved into the new office building and getting settled. They are also monitoring Legislation and keeping the NRD's informed.

**BOARD OF DIRECTORS:** No report.

Chairman Martin adjourned the meeting at 10:10 a.m. The next Regular Board meeting will be Tuesday, April 6, 2021 at 9:00 am.

Respectfully submitted.

CJ Swanson  
Secretary/Treasurer



4-8-21