



Perkins Chase and
Dundy Counties
Headquarters in Imperial

Upper Republican NATURAL RESOURCE DISTRICT

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Board of Directors Regular Meeting April 4, 2017 at 1:30 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, Brett Bullock, Tom Gaschler, Jason Kunkel, Dean Large, Terry Martin, Tom Schroder, Tom Terryberry and Jeff Wallin.

Board Members Absent: Loren Jessen.

Staff: Jasper Fanning, Julia Franck, Bruce Curtis, Nate Jenkins, Danielle Franck and Deb Hayes.

NRD Legal Counsel: Joel Burke.

Others present: Andy Keep (NRCS), Chance Thayer, Nathan Vitosh, Jerry Kuenning, Marc Reck, Dan Stromberger and Brandon Kuenning.

Information mailed to Directors:

Agenda	Report of District applications, contracts, agreements
Minutes of 4-2-17 Regular meeting	Long Range Plan

Information distributed at Board meeting:

Agenda	Variance information
Minutes of 4-4-2017 Regular Board meeting	Report of District applications, contracts, agreements
Financial reports	Long Range Plan
NRCS report	

Chairman Martin called the meeting to order at 1:40 p.m.

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

Chairman Martin excused Loren Jessen from today's meeting.

OPEN FORUMS:

Guests, Board members and NRD staff were introduced.

MINUTES:

- Terryberry moved to approve the March 7, 2017 Regular Board minutes as presented. Seconded by Wallin.

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

FINANCIAL REPORT:

The Manager presented the Financial Reports to the Board.

- Gaschler moved to pay the Accounts Payable and to accept the Treasurer’s report for January and February. Seconded by Wallin.

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

PUBLIC COMMENT: No public comments.

NRCS REPORT:

Andy Keep gave the NRCS report this month. Andy reviewed the Fiscal year 2018 Appropriations proposal from NACD with the Board.

- Terryberry moved to approve the NRCS report dated April 3, 2017 to include the Conservation Plans as signed to include Chase and Dundy County. Seconded by Wallin.

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

GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:

Jasper discussed with the Board questions on a potential land sale. The potential purchaser was asking if the status of the wells on the property are in compliance with the Rules and Regulations. This property was in the Bond and Kramer investigation and is the Stromberger Trust property. The settlement referred to the remaining or existing pipeline as an unauthorized pipeline. If the Board took action that is in the minutes that says the wells on this property that are currently connected to the pipeline are not subject to disconnection from the pipeline and that they are authorized to be connected, then the owner can register them and properly show the connections in registration.

- Gaschler moved to clarify that the remaining wells that are connected to the pipeline are authorized to be connected. These wells are NW ¼ 13-9-40 (G-050893A, NW ¼ 13-9-40 (G-050893B), SE ¼ 13-9-40 (G-027331), SE ¼ 24-9-40 (G-030839), NE ¼ 25-9-40 (G-039400), SW ¼ 25-940 (G-039740), SW ¼ 25-9-40 (G-045770). Seconded by Large.

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

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

VARIANCE COMMITTEE:

Jeff Wallin gave the Variance Committee report.

The Board reviewed 3 pooling contracts that have a negative allocation.

#1 Spuds and Suds (Brandon Larsen) recently purchase the Wilder property and are in the process of installing new pivots and breaking down the pipeline so they can possibly end up with no connected pivots and commingled wells. They will have 1308.6 acres that will not be irrigated. They would like to pool 4 areas and then transfer the 1308.6 acres to pool # 1 & 2.

- Jeff Wallin and the Variance Committee recommends to waive the 30-day waiting period for Spuds and Suds (Brandon Larsen).

Roll call vote: 7-yes, 2-no, 1-absent. Motion carried.

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

- Jeff Wallin and the Variance Committee recommends to approve the variance request for Spuds and Suds (Brandon Larsen) to approve Pools 1-5 as presented with a 27% reduction in allocation transferred based on historical use and Pool #5 will not be irrigated in 2017.

Discussion.

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

#2. Imperial Beef and Brad Foote is asking to add a tract of ground to their pool. They thought this tract was already pooled with their other tracts.

- Jeff Wallin and the Variance Committee recommends to waive the 30-day waiting period for Imperial Beef and Brad Foote.

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

- Jeff Wallin and the Variance Committee recommends to approve the Variance request for Imperial Beef and Brad Foote and to add the SW ¼ 25-8-38 to Pool #C-198 838.

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

#3. Thomas Land & Cattle are asking for a new pool for due to negative allocation on two tracts.

- Jeff Wallin and the Variance committee recommends to waive the 30-day waiting period.

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

- Jeff Wallin and the Variance Committee recommendation is to approve the Variance request of Thomas Land company to pool the NW ¼ 5-11-39, SE ¼ 29-12-39, NE ¼ 33-12-39, NW ¼ 33-12-39 and the S ½ 33-12-39.

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

#4. Aurora Coop Elevator Company is requesting a variance to drill a 100 gpm well and an allocation of 17.9 acre feet to fill 3 sprayers for approximately 36 weeks.

- Jeff Wallin and the Variance Committee recommends to waive the 30-day waiting period.

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

- Jeff Wallin and the Variance Committee recommends to approve the variance request for Aurora Coop Elevator Company to drill a 100 gpm well and receive an allocation of 17.9 acre feet, a flowmeter will need to be placed and if they would get up to 20 acre feet they will need to return and revisit the issue and possibly be required to have offsets.

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

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- Terryberry moved to approve the URNRD Report of District applications, contracts and agreements for April 4, 2017 to include the NSWCP applications, Corners for Wildlife application, pooling contracts and well decommissioning. Seconded by Wallin.

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

LEGAL COUNSEL REPORT: No report.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT: No report

AUGMENTATION PROJECTS:

Jasper reported that the NCORPE wells have been shut off and we are waiting to hear what the final pumping total was. We will probably shut off Rock Creek wells about May 10th.

Jasper reported that NCORPE has been approached by 2 wind farmers and there will someone coming to a NCORPE meeting to explain them.

ASSISTANT MANAGER’S REPORT:

Danielle presented the Long Range Implementation Plan for approval by the Board.

- Gaschler moved to approve the URNRD Long Range Implementation Plan. Seconded by Kunkel.

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

INFORMATION AND EDUCATION REPORT:

Tom Gaschler reviewed the NARD award nominations with the Board. Danielle Franck presented the nominees that were chosen by the I & E Committee.

- Tom Gaschler on behalf of the Information and Education Committee recommends the nomination for:

Grassland Management award – Wheeler Ranch, Rod and Marty Wheeler

Tree Planter award –Doug Johnson

Soil Conservation award – Dennis Demmel

Director – Terry Martin

Hall of Fame award – Ron Milner, W. Eugene Haarberg, Marvin Large and Wilbur Kuenning

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

LEGISLATION:

Jasper reviewed LB 98 with the Board.

STATE ASSOCIATION: No report

BOARD OF DIRECTORS:

Chairman Martin adjourned the meeting at 3:50 p.m. The next Regular Board meeting will be May 2, 2017 at 7:30 p.m.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer