

**Board of Directors Regular Meeting  
March 3, 2020 at 9:00 a.m.  
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:** Kerry Bernhardt, Jason Kunkel, Dean Large, Jay Lee, Terry Martin, Harry Merrihew, Brock Stromberger, Janice Stroup, Tom Schroder, Tyler Turner and Tom Terryberry.

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

**Others Present:** Andy Keep, Bart Stromberger and Jeff Bubak.

**Information mailed to Directors:**

Agenda  
Minutes of February 4th Regular Board Meeting  
Variance request information

Report of District Applications, Contracts,  
and agreements

**Information distributed at Board meeting:**

Agenda  
Minutes of February 4th Regular Board Meeting  
Financial reports  
NRCS report

Variance request information  
Report of District applications, Contracts,  
and agreements

Chairman Martin called the meeting to order at 9:00 am.

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

Introductions of Board, NRD Staff and guest were done.

**MINUTES:**

- Stromberger moved to approve the February 4, 2020 Regular Board meeting minutes as presented. Seconded by Kunkel.

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

**FINANCIAL REPORT:**

The Financial Report was presented to the Board.

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

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

**PUBLIC COMMENT:** No comments.

**NRCS REPORT:**

Andy Keep gave the NRCS report and reported on the Source Water Protection Areas and how this program works.

- Terryberry moved to approve the NRCS Report of Planning Activity dated March 3, 2020 to include the Conservation Plans as signed for Chase and Perkins County. Seconded by Kunkel.

Roll call vote: 11-yes. Motion carried.

**UPPER REPUBLICAN NRD RULES AND REGULATIONS:** None.

**VARIANCE COMMITTEE:**

Kerry Bernhardt gave the Variance Committee report. The Variance Committee met before the Regular Board meeting with Bart Stromberger.

Stromberger Farms is requesting to drill an irrigation well on the NW ¼ 23-5-40 to water a new pivot. There is a transfer application included on the Report of District applications, contracts and agreements to transfer 123.4 acres from the SW ¼ 8-5-40 to the NW ¼ 23-5-40. This transfer goes in conjunction with this Variance request. Mr. Stromberger is also asking to waive the 30-waiting period.

- Bernhardt, on behalf of the Variance Committee, moved to waive the 30-day waiting period.

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

- Bernhardt on behalf of the Variance Committee, moved to approve the transfer application of 123.4 acres from the SW ¼ 8-5-40 to the NW ¼ 23-5-40 and to approve the Variance request of Stromberger Farms to drill a new irrigation well on the NW ¼ of Section 23-5-40 to water a new pivot.

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

The Variance Committee met with Jeff Bubak before the Regular meeting to review his variance request.

Mr. Bubak is requesting to transfer 125 certified acres from the NE ¼ of Section 4-5-39 to the NW ¼ of Section 3-4-38 which is currently a dryland quarter and there will be no end gun on this pivot, drill a new well on the NW ¼ of Section 3-4-38 and decommission or convert to a livestock the well in the NE ¼ 4-5-39. The Variance approved in December to transfer these acres to the SE ¼ of Section 4-4-38 but they were unable to find a good area for a well. Mr. Bubak would like to waive the 30-day waiting period for this request.

- Bernhardt on behalf of the Variance Committee, moved to waive the 30-day waiting period.

Roll call vote: 11-yes. Motion carried.

- Bernhardt on behalf of the Variance Committee, moved to approve the Variance request for Jeff Bubak to transfer 125 certified acres from the NE ¼ of Section 4-5-39, Chase County to the NW ¼ of Section 3-4-38, Dundy County, with no end gun on the new pivot, 13" allocation with no carryforward, no pooling unless within a floating township, decertify 5.6 acres, drill a new well on NW ¼ Section 3-4-38 and decommission or convert to a livestock well the well in the NE ¼ 4-5-39.

Roll call vote: 11-yes. Motion carried.

#### **REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:**

- Terryberry moved to approve the Report of District Applications, Contracts and Agreements dated March 3, 2020 to include the NSWCP applications and the Corners for Wildlife applications. Seconded by Lee. The transfer application on the report was approved in an earlier motion.

Roll call vote: 11-yes. Motion carried.

**LEGAL COUNSEL REPORT:** No report.

#### **REPUBLICAN RIVER BASIN MEETING AND COMPACT MEETING REPORT:**

Jasper reported that Middle Republican NRD is wanting to move forward on IMP's. Kansas is communicating with Nebraska that they would like to revise Republican River Compact agreements.

**AUGMENTATION PROJECTS:** NCORPE Board is waiting on legal opinions and recommendations from the Attorney General's office.

#### **UNION BANK & TRUST:**

NPAIT as housed at Union Bank and the Board moved to the money to a management firm. Union Bank put together a proposal to set up a Nebraska NFIT account. This will assist with transferring bond payments.

- Large moved to authorize management with opening of an account with Union Bank and Trust for the NFIT program. Seconded by Stromberger.

Roll call vote: 11-yes. Motion carried.

#### **ASSISTANT MANAGER'S REPORT:**

Nate reported on candidates running for NRD Board.

**INFORMATION & EDUCATION:** No report.

**LEGISLATION:** No report.

**STATE ASSOCIATION:**

**BOARD OF DIRECTORS:** None

Chairman Martin adjourned the meeting at 9:44 am. The next Regular Board meeting will be Tuesday, April 7, 2020 at 9:00 am.

Respectfully submitted

Tom Terryberry  
Secretary/Treasurer