

By Russ Pankonin

The Imperial Republican

With most of their business taken care of, board members of the Upper Republican Natural Resources District (URNRD) spent about an hour at a recent regular meeting talking about regulations proposed for water-short years.

Last month, the Nebraska Department of Natural Resources (DNR) proposed three options that NRDs in the Republican Basin can choose from as a last resort to stay in compliance during a water-short year.

DNR remains focused on a way to keep Nebraska in compact compliance with Kansas when a water-short year occurs.

If the basin NRDs cannot find a way to fund compliance projects, such as surface water leasing or augmentation, regulation will be the only option.

Manager Jasper Fanning said the NRDs still hope new language can be adopted by the Legislature to insure that an occupation tax remains constitutional.

Presently, that matter rests with a Lancaster District Court, with arguments slated for December.

The occupation tax, along with an unconstitutional property tax, were part of LB 701 sponsored by Sen. Mark Christensen of Imperial and passed in the 2007 Legislative session.

Two of DNR's three proposals call for shutting off wells near streams, rivers and tributaries in the basin in water-short years. The owners of these wells would not be compensated for the action.

Board member Tom Terryberry of Imperial said he's opposed to just shutting off irrigators without any compensation. "That's not what the board wants," he said.

Terry Martin, a board member from Benkelman, said the basin NRDs are all working to find solutions.

Fanning said he's uncomfortable writing shut-off regulations into the NRD's integrated management plan, but it looks like the DNR will settle for nothing less.

Fanning also expressed concern about the lack of unity throughout the basin in seeking common solutions to the shut-downs.

He was specifically referring to three editorials that appeared in The Kearney Hub written by the manager of the Lower Republican NRD.

In each letter, he referred to upstream NRDs, and particularly the URNRD, for over-pumping and groundwater aquifer depletions.

Fanning said these comments do not exactly foster a spirit of cooperation when the basin needs it the most.

He noted the LRNRD has some responsibility for compact compliance based on some of their past usage patterns as well.

Fanning said Sen. Tom Carlson of Holdrege is looking at legislation on areas where groundwater decline is occurring. That would include the URNRD and another NRD in the panhandle.

Frankly, the people who should manage those declines are the people where those declines are occurring, Fanning noted.

Board members also discussed transfers as a way to compensate irrigators who get shut down.

Terryberry said transfers still need to be managed to guard against aquifer declines in certain areas. No action was taken on any of the discussion.

DNR held a roundtable meeting on their proposal in Imperial Wednesday night.