

**By Russ Pankonin**

*The Imperial Republican*

Finding an allocation proposal the whole Upper Republican Natural Resources District board could agree on Tuesday proved somewhat elusive.

The board met for its regular meeting Tuesday afternoon and spent nearly four hours discussing the proposed changes.

Three split votes later, the board forwarded a proposal to a Feb. 12 public hearing with a 12.5-inch allocation for the next five-year allocation period.

The proposal also carries a provision that limits the use of carryforward to a total of five inches during the allocation period.

Additional carryforward can be used but those inches will count double instead of a one-to-one basis.

Pooling rules will also be addressed in the proposal.

Pooling allows farmers to put or “pool” tracts together so the combined allocation can be shared amongst all the tracts in the pool.

Presently, the actual use on each tract is charged against a tract.

This accounting allows for more pumping on one tract than another.

Even if a tract goes into negative allocation balance, pumping can continue on that tract as long as overall pool average remains positive.

Going forward, the allocation on each tract will be averaged across all tracts in the pool, which can be no greater size than a township (six miles square) or a floating township.

Tracts being added to a pool can bring in no more than three years of annualized allocation.

**12.5-inch Allocation Proposed**

The allocation for the previous five-year period stood at 13 inches. The new proposal would drop that one-half inch.

While that may not seem significant, URNRD Manager Jasper Fanning said it will help keep the district within the district’s targeted pumping limit.

The target is 11.5 inches. The reduction in allocation will be a part of hitting that target, he noted.

In addition, he said about 20 percent of the irrigated acres in the district have already borrowed into the new allocation period and have no carryforward.

That means pumping will have to be reduced on those acres, he said, which will be another factor in hitting the pumping target.

Board member Tom Terryberry noted that if conditions continue to be dry, it will be difficult for the district to stay in compact compliance and within the bounds of its integrated management plan (IMP).

**Carryforward Cap**

Board member Dean Large said those issues were taken into account by the groundwater committee in developing the proposal. That’s one of the reasons a cap was put on carryforward use.

The trouble, Large said, is that the district has far more carryforward on the books than it can afford to let be used, due to IMP and compliance issues. Yet, irrigators want to be able to use it.

During discussion, board members Jason Kunkel and Kerry Bernhardt said farmers have

expressed concern about the limits on carryforward, as well as allocation reduction.

Bernhardt said he felt having only five inches of carryforward available during the allocation period was not enough. He suggested the board look at 10 inches.

Kunkel made a motion to keep the allocation at 13 inches with 10 inches of carryforward available.

That motion went down on a 5-4 vote. Kunkel, Bernhardt, Brett Bullock and Jeff Wallin voted for the motion. Terryberry, Large, Terry Martin, Tom Schroeder and Tom Gaschler voted against.

Loren Jessen was absent and there is a vacancy for the subdistrict 1 seat. Mick Strand of Wauneta held the seat but did not seek re-election and no one filed for the seat.

Bernhardt followed that vote with a motion to set the allocation at 12.5 inches and move the carryforward available to 10 inches. That failed on the same 5-4 vote.

Kunkel urged the board to find some compromise between the proposals.

Several changes to the pooling proposals were also discussed.

Shawn Turner of Grant asked about additional carryforward on a tract if it's brought into a pool.

Essentially, the amount above the three-year allocation would be gone.

He didn't feel it was right that the extra carryforward would just be wiped off the books in that situation. He likened it to stealing those inches from people who had saved water over the years.

Fanning noted some of the carryforward came from an unreasonable accumulation early in the district's rules.

He said allocation far exceeded actual use in early years so in some cases, a large amount of carryforward was built up.

In the last 15 years, he said a farmer was only able to accumulate 14-15 inches of carryforward, due to lower allocations.

Large said a farmer with a large amount of carryforward on a tract could preserve that carryforward by keeping the tract as a stand-alone tract and not pooling it. The reduction to three years allocation only occurs if the tract is added to a pool.

The board did make some slight changes to the pooling but left in the three-year limit on bringing in carryforward.

Large made a motion to send the amended proposal, with a 12.5 allocation and 5 inch carryforward to hearing.

That motion passed 5-4, with Kunkel, Bernhardt, Wallin and Bullock opposed.

Despite the split vote, Fanning told the board the lengthy discussion represented a healthy discussion.

"We're not a long ways apart," he said, noting that he didn't see the board as a split board.

### **Public Input Next for Proposal**

Farmers will get their opportunity to speak on the proposal at a public hearing set for 10 a.m. MT, Tuesday, Feb. 12. It will be held at the district headquarters in Imperial.