By Russ Pankonin
The Imperial Republican

One theme came through loud and clear during a public hearing on proposed rules and regulations—irrigators in the Upper Republican Natural Resources District want their carryforward protected.

Tuesday morning's hearing was moved from the NRD office to the St. Patrick parish hall in Imperial due to the large attendance. Around 100 people were present for the hearing.

Of those, 15 people testified in front of the URNRD board during the hearing.

Nearly every person who testified opposed having their carryforward limited.

Under the proposed change, the irrigation allocation would be lowered from 13 inches annually to 12.5 for the five-year allocation period.

Up to five inches of carryforward could be used during that period without any penalty.

Use of carryforward above five inches would be allowed, but it would be at a ratio of 2:1. If a farmer used 10 total inches of carryforward, the second five inches would be counted as 10 inches against the carryforward balance.

Jerry Groff of Imperial was the first to testify. He said the limit to carryforward is a "slap in the face" to those irrigators who have conserved over the years.

He suggested lowering the allocation to 12 inches while allowing use of up to 15 inches of carryforward during the allocation period.

"People with carryforward are being discriminated against," he said.

Terry Bilka of Enders told the board that "those of us who have carryforward, need to have it protected."

He told the board they may not be taking their carryforward outright, but "you're going to regulate us out of it."

Bob Ahrens said five inches of carryforward is not enough in a dry year, like the summer of 2012. "Carryforward should not be penalized," he said.

Ron Hagan of Grant said the biggest share of people at the hearing want to see their carryforward protected.

He said he's managed his water use to save up carryforward by using strip-till and shutting down wells when they don't need to run.

"I don't think it's fair that something you've saved, that you take it away," Hagan said.

Shane Eversole of Haigler said limiting the use of carryforward serves as punishment for those who have conserved over the years.

Two landowners whose wells rest within the bounds of the quick response area said they would be hit worst in a compact call year.

In that scenario, the URNRD's integrated management plan calls for shutting down quick response wells.

Elmer Case of Max said the burden shouldn't be placed all on their backs, just because they live and farm in the quick response area.

He said he hasn’t heard the board talk about any compensation for shutting down quick response wells.

Several testifiers urged the board to remember they work on behalf of the irrigators in the URNRD, not for regulators in Lincoln.

Several also asked if anything further could be done with Kansas, in terms of some type of buyout or renegotiation.

URNRD manager Jasper Fanning said that’s unlikely. He doubted the Kansas legislature would approve taking money in return for saying Nebraska doesn’t have to deliver water to their state.

Will Kansas ever be satisfied, Fanning was asked?

“Honestly, I don’t care. I think if the State of Nebraska is in compliance is all that matters. Whether Kansas is satisfied with Nebraska being in compliance is another question,” Fanning said.

The URNRD’s regular board meeting was held Tuesday afternoon.

The board spent more than four hours discussing changes to the initial proposal but it failed to advance. A second proposal was approved and and a new hearing date set.