



NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS

601 S. 12th St. Suite 201
Lincoln, NE 68508

nard@nrdnet.org
(402) 471-7670

April 26, 2007

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: April 26 NARD UPDATE

LB 289, Changes to Elections for Exceeding the Budget -- Senators advanced LB 289 to Select File this week, which changes the election procedure for exceeding the tax levy limit. Current law allows certain political subdivisions and villages to approve a levy in excess of the limits or the final levy allocation at a meeting of the residents of the political subdivision or village called after public notice. At least ten percent of the political subdivision or village constitutes a quorum for purposes of taking action to exceed the limits or final levy allocation. Under LB 289, a record will be made of the registered voters residing in the political subdivisions or village who are present at the meeting. The method of voting will protect the secrecy of the ballot. The committee amendment strikes obsolete provisions in § 77-3444 dealing with special elections held before October 10, 1998.

Republican River Basin Water Bill Approved -- State Senators gave final approval to LB 701 on a 43 (yes) - 0 (no) - 6 (not voting) vote and LB 701A on a 44 (yes) - 0 (no) - 5 (not voting) vote on Thursday, April 26. Senators voted on the bill after a procedural vote to suspend the rules to take up the measure. The rule suspension was necessary as the rules require the budget to be approved before senators can approve other appropriations bills.

Here is how the Senators voted on LB 701:

Yes: Adams, Aguilar, Ashford, Avery, Burling, Carlson, Christensen, Cornett, Dierks, Engel, Erdman, Fischer, Flood, Friend, Fulton, Gay, Hansen, Harms, Heidemann, Howard, Hudkins, Janssen, Johnson, Karpisek, Kopplin, Kruse, Langemeier, Loudon, McDonald, McGill, Mines, Nantkes, Nelson, Pahls, Pankonin, Pedersen, Pirsch, Raikes, Rogert, Schimek, Stuthman, White, Wightman

No: none

Not Voting: Chambers, Dubas, Lathrop, Preister, Synowiecki, Wallman,

Here is the Vote on LB 701A, which included the funding for the Riparian Vegetation Management and funds for Bostwick Irrigation District water lease:

Yes: Adams, Aguilar, Ashford, Avery, Burling, Carlson, Christensen, Cornett, Dierks, Engel, Erdman, Fischer, Flood, Friend, Fulton, Gay, Hansen, Harms, Heidemann, Howard, Hudkins, Janssen, Johnson, Karpisek, Kopplin, Kruse, Langemeier, Lathrop, Loudon, McDonald, McGill, Mines, Nantkes, Nelson, Pahls, Pankonin, Pedersen, Pirsch, Raikes, Rogert, Schimek, Stuthman, White, Wightman

No: none

Not Voting: Chambers, Dubas, Preister, Synowiecki, Wallman

The following is a summary of the 4 main components of the bill as passed:

1. **Bonding Authority for NRDs** – This component includes the authority for NRDs in the Republican Basin to lease or acquire surface and ground water rights in the basin and divert the water from irrigation to enhance stream flows. The NRDs would also have the power to undertake other stream flow augmentation programs consistent with the all management authorities granted to the NRDs in Chapter 2, Article 32. The three Republican River Basin NRDs are currently in negotiations to lease surface water from at least 26,000 acres from Frenchman Cambridge, Frenchman Valley and Riverside Irrigation Districts for the 2007 year.

The NRDs, either on their own and/or through an interlocal agreement, would have the authority to issue bonds to pay for the projects. Funding sources for repayment of the bonds could come from up to a 10-cent property tax and up to \$10/acre occupation tax on irrigated acres. The occupation tax would be collected and become delinquent in the same manner as property taxes. This component also included extension of the 3 cent levy authority for NRDs in fully and over-appropriated areas from 2008 to 2012. The bonding authority for new projects would sunset in 15 years.

Within 45 days of a request from the Natural Resource Committee, a report would be required by the qualified NRDs issuing such bonds of existing and planned activities to the committee. Also, beginning April 1, 2008, a district that uses bonds to purchase surface water would be required to restrict the use of groundwater from water wells used on acres certified for both groundwater and surface water use to no greater than the total groundwater allocation granted less the surface water purchased.

2. **State Funding for Water Programs, LB 322** – This component is Governor Heineman's proposal in LB 322 to establish a Water Resources Cash Fund to be administered by DNR to comply with interstate water compacts and conserve water in fully and overappropriated basins. The provision of the bill appropriates \$2.7 million per year to the Water Resources Cash Fund. After October 1, 2012 and until October 1, 2019, a 3/5 cent/bushel check-off on corn and grain sorghum will be imposed and directed to the Water Resources Cash Fund. NRDs could access money from the fund with a 40 percent match requirement. This division also included \$3 million for the current fiscal year to be appropriated to the state Department of Natural Resources to negotiate leases on surface water rights in the Bostwick Irrigation District. Intent language was added to make it clear that this bill does not establish a precedent that the Legislature must or should purchase water or provide compensation for any economic impacts resulting from necessary water regulation.

This component adds a requirement for the Department of Natural Resources to develop rules and regulations for use of the Water Resources Cash Funds. These components would require a) how planned activities of the district would assist in compliance with an interstate compact or decree or a formal state contract or agreement as required by 46-715 and b) a schedule of implementation of the activity or its components. Any NRD that fails to implement and enforce controls, rules and regulations as required under 46-715 would not be eligible for funding from the Water Cash Fund. The department would be required to submit an annual report to the Legislature by October 1 each year on the use of the funds.

3. **Water Management Changes of LB 295** – This component was already on Select File in LB 295 and makes a number of changes at the request of the Nebraska Department of Natural Resources, including 1) Adds U.S. Bureau of Reclamation on the list of entities which may have appropriations terminated for nonuse. 2) Clarifies that no person shall use a water well for purposes other than its registered purpose until the water well registration has been changed to the intended new use. 3) Provides an exception so that a person may use water

well registered for purposes other than its intended purpose for a de minimis use for livestock, monitoring, observation, or any other non-consumptive use approved by the applicable natural resources district.

This component also included language that will require DNR, in consultation with the effected natural resources district, to do an annual determination in fully and over-appropriated basins, starting January 1, 2008, and every January 1 thereafter, to estimate the maximum amount of water that may be available from stream flow for a beneficial purpose in the short and long-term. The language would not be an "order" by the department, rather only a forecast developed by DNR and the affected NRDs.

Finally, this component allows NRDs to impose a temporary well drilling moratorium without a notice or hearing, but requires a hearing within 180 days. Similar language is included allowing DNR to impose a temporary 180-day stay on new surface water natural-flow appropriations in areas where a natural resources district has imposed a temporary 180-day stay on new well construction and the addition of new irrigated acres. Water wells of public water suppliers are exempt from temporary moratoriums.

4. **Vegetation Management Provision of LB 458** – This component creates a 13-member Riparian Vegetation Task Force, as proposed in LB 458, consisting of a representative of the Governor, state agencies, NRDs, the Nebraska Environmental Trust, and a riparian landowner from each of the state's congressional districts. The task force would sunset on June 30, 2009. The task force is to analyze the cost effectiveness of available vegetation treatment and shall utilize the principles of integrated vegetation management and sound science. For administrative and budget purposes, the task force will be housed with the Department of Agriculture.

Appropriations Committee Budget Released – The Appropriation Committee released its proposed budget this week. The proposed budget reflects a 4.5% average growth over the two year biennium, 3.7% in FY2007-08 and 5.3% in FY2008-09. This is about .7% above the Governors recommendation of 3.8% average growth which was submitted prior to certified TEEOSA aid and several salary contract settlements. This 4.5% average growth is significantly lower than the prior biennium (average growth of 7.4%), and the average General Fund spending growth over the past 20 years (6.9%). This 4.5% average spending growth is also roughly 1/2 percent below the historical growth in state personal income as reported by the federal Bureau of Economic Analysis.

The Committee proposed budget is higher than the Governors proposal by \$59 million over the biennium, reflecting the 4.5% average growth compared to the 3.8% average growth in the Governors recommendation. Most of the difference between the Committee and Governor can be attributed to (1) salary increases for the University of Nebraska and State Colleges, (2) state employee salaries of which much of the difference relates to the Special Master ruling subsequent to the Governors recommendation, TEEOSA school aid which was officially certified after the Governors recommendation and HHS provider rates.

Adjustments made in NRD programs are reflective of committee preferences after the agency hearing. Debate on the budget is expected to begin next week and must be advanced to the Governor by the 80th day, which is May 15th. The details of the budget for natural resources program are in the chart on the next page.

Funding for Natural Resources Programs

Program	Governor Hieneman Proposed		Appropriations Committee Advanced		Percent Change	
	FY 07-08	FY 08-09	FY 07-08	FY 08-09	FY 07-08	FY 08-09
State Aid to NRDs	1,545,502	1,545,502	1,545,502	1,545,502	0.0%	0.0%
Small Watersheds	500,000	500,000	500,000	500,000	0.0%	0.0%
Soil and Water Conservation Fund	3,193,454	3,193,454	3,193,454	3,193,454	0.0%	0.0%
Water Well Decommissioning	240,840	240,840	240,840	240,840	0.0%	0.0%
Resources Development Fund	3,638,368	3,638,368	3,373,066	3,373,066	-7.3%	-7.3%
Soil Survey Fund	143,051	143,051	75,000	0	-47.6%	100.0%
Natural Resources Water Quality Fund	1,250,000	1,250,000	1,250,000	1,250,000	0.0%	0.0%
*Water Resource Development	1,257,299	1,264,348	0	0	100.0%	100.0%
Interrelated Water Mgt Plan Program	2,500,877	2,501,773	2,412,854	2,412,854	-3.5%	-3.6%
*Nebraska Water Rights	1,067,873	1,084,140	0	0	100.0%	100.0%
*DNR Agency Operations Fund	6,308,754	6,457,355	8,789,160	9,054,149	39.3%	40.2%

* **Programs Merged. See narrative below.**

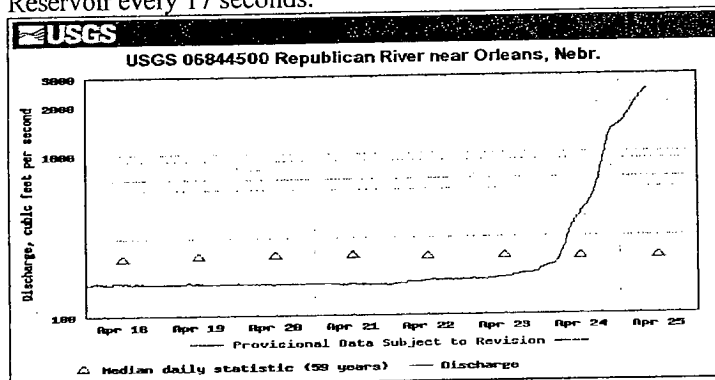
* Eliminate Soil Survey program funding. This modification would reduce funding for the Soil Survey program to \$75,000 in FY07-08 and eliminates the program in FY08-09. This program is a cooperative venture between the department and the University of Nebraska, and soil surveys have been completed for all the counties of Nebraska. The FY07-08 funding would allow for completion of an existing project, and to close out the program.

* Consolidation of staffing and operations into Program 334. Programs 310 (Water Resource Development) and 331(Water Rights) were consolidated into Program 334 (DNR Agency Operations Fund) in the Appropriations Committee recommendation. The transfer of staff into this program would give the agency greater flexibility in the management of work assignments. There is no net increase or decrease to the agency budget, and the changes are administrative in nature.

* Reduce current base funding for the Resources Development Fund. (Prog 307 Resources Develop Fund) by \$215,302.

* Reduce General Funds due to a one-time appropriation and decrease federal funds (Prog 310 Water planning process) by \$2,547,500. The reduction shown in this program is an adjustment due to a one-time appropriation in FY06-07. Reduced funding is based upon the agency request.

Rain Gage at Orleans – Heavy rains throughout the state have helped alleviate moisture concerns. This is exceptionally important to the residents of the Republican River Basin, where prolonged drought has contributed significantly to depleted stream flows. The graph below shows the flow levels after the rains this week. Note the triangles represent the median daily statistical flows and the blue line depicts the actual flows recorded at the stream gauge. Timely rains resulting in improved stream flow will greatly assist with compact compliance. Based on the flows displayed on this chart, one acre/foot of water reached the Harlan County Reservoir every 17 seconds.



For USGS web site information and data go to:
<http://waterdata.usgs.gov/nwis/uv?06768000>



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April 13, 2007

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: April 13 NARD UPDATE

Republican River Basin Water Bill Advances -- State Senators advanced LB 701 to Select File on a 38-1 vote this week after two days of healthy debate on the four divisions of the bill. Senators also advance the related appropriations bill, LB 701A, on a 36-0 vote.

The bill was advanced after 4 separate divisions of the bill were approved. All four core components of the proposal remain intact. These divisions include:

- **First Division -- Bonding Authority for NRDs** -- The bill includes the authority for NRDs in the Republican Basin to lease or acquire surface and ground water rights in the basin and divert the water from irrigation to enhance stream flows. The NRDs would have the authority to issue bonds to pay for the projects. Funding sources for repayment of the bonds could come from up to a 10-cent property tax and up to \$10/acre fee on irrigated acres. This division also included extension of the 3 cent levy authority for NRDs in fully and over-appropriated areas from 2008 to 2012. One amendment was adopted that would sunset the bonding authority for new projects after 15 years. This division was approved 36-0 with 11 not-voting and 2 excused and not voting.
- **Second Division -- State Funding for Water Programs, LB 322** -- The provision is Governor Heineman's proposal to establish a Water Resources Cash Fund to be administered by DNR to comply with interstate water compacts and conserve water in fully and overappropriated basins. The provision of the bill appropriates \$2.7 million per year to the Water Resources Cash Fund. After October 1, 2012 and until October 1, 2019, a ½ cent/bushel check-off on corn will be imposed and directed to the Water Resources Cash Fund. NRDs could access money from the fund with a 40 percent match requirement. Any district that would use these funds would be required to submit a report of its planned activities. One amendment was adopted to increase the check-off from ½ cent to 6/10ths of a cent. Amendments to increase funding for stormwater, and add sales tax on bottled water which would be directed toward water programs, were dropped before consideration.

This division also included \$3 million for the current fiscal year to be appropriated to the state Department of Natural Resources to negotiate leases on surface water rights in the Bostwick Irrigation District.

This division was approved 39-0 with 9 not voting and 1 excused and not voting.

- **Third Division -- Water Management Changes of LB 295** -- This bill was already on Select File and makes a number of changes at the request of the Nebraska Department of Natural Resources, including 1) Adds U.S. Bureau of Reclamation on the list of entities which may have appropriations terminated for nonuse. 2) Clarifies that no person shall use a water well for purposes other than its registered purpose until the water well registration has been changed to the intended new use. 3) Provides an exception so that a person may use a water well registered for purposes other than its intended purpose for a de minimis use for livestock, monitoring, observation, or any other non-consumptive use approved by the applicable natural resources district.

This division also included language that will require DNR, in consultation with the effected natural resources district, to do an annual determination in fully and over-appropriated basins, starting January 1, 2008, and every January 1 thereafter, to estimate the maximum amount of water that may be available from stream flow for a beneficial purpose in the short and long-term. The language would not be an "order" by the department, rather only a forecast developed by DNR and the affected NRDs.

Finally, this division allows NRDs to impose a temporary well drilling moratorium without a notice or hearing, but requires a hearing within 180 days. Similar language is included allowing DNR to impose a temporary 180-day stay on new surface water natural-flow appropriations in areas where a natural resources district has imposed a temporary 180-day stay on new well construction and the addition of new irrigated acres.

This division was approved 35-0 with 14 not voting.

- **Fourth Division – Vegetation Management Provision of LB 458** – The amendment creates a 13-member Riparian Vegetation Task Force consisting of the Governor, state agencies, NRDs and a riparian landowner from each of the state's congressional districts. The task force would sunset on June 30, 2009. One amendment was adopted to add a representative from the Nebraska Environmental Trust Fund to the task force.

This division was approved 39-2 with 6 not voting and 2 excused and not voting.

After the fourth division was approved, the entire package and related appropriations bills were advanced to Select File. A Select file amendment will be drafted to address concerns raised during debate. These include:

- Clarify that if one source of water is purchased from an irrigator, that user can not use a second source of water on that tract.
- Clarify that the Attorney General's Office has oversight and enforcement powers on interstate compact compliance.
- Add language to make it clear that the forecast by DNR and NRDs on water availability and use is only a forecast.
- Clarify that political subdivisions outside of the Republican Basin can not participate in the interlocal agreements for bonding purposes.
- Clarify that herbicides used for vegetation management follow label requirements for application.
- Clarify the representation from the Nebraska Environmental Trust Fund.
- Clarify that groundwater can be leased.
- Clarify reporting dates for use of funds from the Water Resources Cash Fund.
- Correct internal references in the bill.

The bill should be up for Select File debate next Wednesday or Thursday.

NRD Co-sponsors Joint Effort on Tree Planting – More than 1,200 Boy Scouts, Cub Scouts and Venture Crew members from four states planted 15,000 tree seedlings during the 18th annual Fort Robinson Fire Recovery tree-planting event last weekend. Scouts from Colorado, South Dakota, Wyoming and Nebraska arrived at Fort Robinson State Park to participate in the event. The U.S. Forest Service and Bessey Nursery grew the 15,000 ponderosa pine seedlings for distribution by the Nebraska Association of Resource Districts and the Upper Niobrara-White Natural Resource District.

Natural Resources Leader Passes – Wayne "Buster" Davis succumbed to a very long battle with cancer on April 8, 2007. Wayne was involved with the Upper Niobrara White NRD as a director and has served on the Natural Resources Commission. Wayne rarely passed an opportunity to participate in local, state and national meetings where he could share and learn more about protecting and enhancing natural resources in Nebraska. His contributions will be greatly missed. He is survived by his wife of 52 years, Iris of Hay Springs, daughters Carol and John Lewin, Marcia and Steve Sandberg, both of Hay Springs, 3 grandchildren, 1 great grand child and a sister, Marion Scott of Rushville.



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April 19, 2007

TO: NARD Board, NRD Managers and Conservation Partners
FROM: Dean E. Edson, NARD Executive Director
RE: April 19 NARD UPDATE

Republican River Basin Water Bill Advances to Final – State Senators advanced LB 701 to Final Reading on a unanimous voice vote this morning after less than 2 hours of debate. Senators also advance the related appropriations bill, LB 701A, on a unanimous voice vote. Senators adjourned for a 3-day weekend shortly after taking action on the bill.

The bill was advanced after four clarifying floor amendments, offered by Senator Chambers, and one major amendment (AM 1073), offered by Speaker Flood, were adapted to the bill. Speaker Flood coordinated the request of about 14 state senators to come up with the compromise language in AM 1073. The four core components of the proposal remain intact. These include (followed by amendments to that component):

1. **Bonding Authority for NRDs** – This component includes the authority for NRDs in the Republican Basin to lease or acquire surface and ground water rights in the basin and divert the water from irrigation to enhance stream flows. The NRDs, either on their own and/or through an interlocal agreement, would have the authority to issue bonds to pay for the projects. Funding sources for repayment of the bonds could come from up to a 10-cent property tax and up to \$10/acre occupation tax on irrigated acres. This component also included extension of the 3 cent levy authority for NRDs in fully and over-appropriated areas from 2008 to 2012. The bonding authority for new projects would sunset in 15 years.

The portions of AM 1073 dealing with this component includes language to: 1) Clarify that only qualified NRDs could form interlocal agreements to issue the bonds; 2) Clarify the 15 year sunset provision; 3) Within 45 days of a request from the Natural Resource Committee, a report would be required by the qualified NRDs issuing such bonds of existing and planned activities to the committee; 4) Beginning April 1, 2008, a district that uses bonds to purchase surface water shall restrict the use of groundwater from water wells used on acres certified for both groundwater and surface water use to no greater than the total groundwater allocation granted less the surface water purchased; 5) Clarify that groundwater can be leased or purchased with the bonds; 6) Clarify that river enhancement projects authorized under the bond are consistent with the all authorities granted in Chapter 2, Article 32; and 7) Clarify that the occupation tax becomes delinquent at the same time as general property taxes.

2. **State Funding for Water Programs, LB 322** – This component is Governor Heineman's proposal in LB 322 to establish a Water Resources Cash Fund to be administered by DNR to comply with interstate water compacts and conserve water in fully and overappropriated basins. The provision of the bill appropriates \$2.7 million per year to the Water Resources Cash Fund. After October 1, 2012 and until October 1, 2019, a 3/5 cent/bushel check-off on corn will be imposed and directed to the Water Resources Cash Fund. NRDs could access money from the fund with a 40 percent match requirement. This division also included \$3 million for the current fiscal year to be appropriated to the state Department of Natural Resources to negotiate leases on surface water rights in the Bostwick Irrigation District.

The portion of AM 1073 dealing with this component included language to: 1) Make it clear in a statement of intent that the provisions included in this bill does not establish a precedent that the Legislature must or should purchase water or provide compensation for any economic impacts resulting from necessary water regulation; 2) Increase the grain sorghum check-off from ½ cent to 6/10ths of a cent starting in 2012 to match the corn check-off; and 3) Dropped the reporting requirements of the NRDs that use the funds and created a requirement for the Department of Natural Resources to develop rules and regulations for use of the funds. These components would require a) how planned activities of the district would assist in compliance with an interstate compact or decree or a formal state contract or agreement as required by 46-715 and b) a schedule of implementation of the activity or its components. Any NRD that fails to implement and enforce controls, rules and regulations as required under 46-715 would not be eligible for funding from the Water Cash Fund. The department would be required to submit an annual report to the Legislature by October 1 each year on the use of the funds.

3. **Water Management Changes of LB 295** – This component was already on Select File in LB 295 and makes a number of changes at the request of the Nebraska Department of Natural Resources, including 1) Adds U.S. Bureau of Reclamation on the list of entities which may have appropriations terminated for nonuse. 2) Clarifies that no person shall use a water well for purposes other than its registered purpose until the water well registration has been changed to the intended new use. 3) Provides an exception so that a person may use water well registered for purposes other than its intended purpose for a de minimis use for livestock, monitoring, observation, or any other non-consumptive use approved by the applicable natural resources district.

This component also included language that will require DNR, in consultation with the effected natural resources district, to do an annual determination in fully and over-appropriated basins, starting January 1, 2008, and every January 1 thereafter, to estimate the maximum amount of water that may be available from stream flow for a beneficial purpose in the short and long-term. The language would not be an "order" by the department, rather only a forecast developed by DNR and the affected NRDs.

Finally, this component allows NRDs to impose a temporary well drilling moratorium without a notice or hearing, but requires a hearing within 180 days. Similar language is included allowing DNR to impose a temporary 180-day stay on new surface water natural-flow appropriations in areas where a natural resources district has imposed a temporary 180-day stay on new well construction and the addition of new irrigated acres.

The portion of AM 1073 dealing with this component included language to: 1) Clarify that the department is only making a forecast of available water each year, not an order or determination; and 2) Add language similar to LB 1226 last year that water wells of public water suppliers are exempt from temporary moratoriums.

4. **Vegetation Management Provision of LB 458** – This component creates a 13-member Riparian Vegetation Task Force, as proposed in LB 458, consisting of the Governor, state agencies, NRDs and a riparian landowner from each of the state's congressional districts. The task force would sunset on June 30, 2009. One amendment was adopted to add a representative from the Nebraska Environmental Trust Fund to the task force.

The portion of AM 1073 dealing with this component included language to: 1) Add that the task force analyze the cost effectiveness of available vegetation treatment; 2) Any plan developed by the task force shall utilize the principles of integrated vegetation management and sound science; 3) Clarify the new member added on General File is from the Nebraska Environmental Trust not the Nebraska Trust Fund; and 4) Clarify that for administrative and budget purposes, the task force shall be housed with the Department of Agriculture.

NRD Pay scale for consideration and adjustment. Based on committee recommendations with some adjustments. This is for discussion only.

1. Cover the cost of insurance for 1 employee as long as the plan stays relatively the same instead of using the \$500 cap.

WAGES

For perspective: 52 work weeks per year times 40 hours is 2080 work hours per year to use as a guide for figuring raises on a per hour basis.

2. Manager, currently 44650 proposed 3.25% increase = +1451. Plus a Bonus of 4000 to 4500 for all the extra travel, time, and effort working on the surface water and the new allocation etc. i.e. 260 work days a year times \$15 a day is \$3900 for reference.
 3. Assistant manager, current 36150 proposed 3.25% increase = +1175. Plus a 1500 bonus for taking care of extra office duties while manager has been working on other issues etc
 4. Office supervisor, current 28150 proposed 3.25% increase = + 915. This position had a fairly large increase last year
 5. I and E new employee, no increase
 6. Sec and recep, current 22740. Add 1000 to base then raise 3.25% = +1771
 7. Head tech, current 25650 proposed 3.25% increase = + 833. This position had a fairly large increase last year plus has insurance benefits.
 8. Tech 1 and Tech 2 current 22580 proposed 1000 increase to base and then add 3.25% increase = + 1766
 9. All three techs bonus of 500 to each if meters are read by due date since it is the end of our allocation. The completion of the readings would be at the boards discretion if weather or other problems exist etc.
 10. Curtis FOS current, 20150 no increase new employee
 11. McCook FOS current 23680 raise 3.25% = + 769
 12. HC FOS current 19650 raise 3.25% = + 638
 13. Trenton FOS current 19650 raise 3.25% = + 638
- These are ideas for discussion purposes only

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MEMORANDUM

DATE: February 12, 2007

TO: Jasper Fanning, General Manager, URNRD
Dan Smith, General Manager, MRNRD
Mike Clements, General Manager, LRNRD

FROM: Philip Young

SUBJECT: Public Relations Proposal

Following is a proposal of services offered by The Philip M. Young Company (PMYCO) to the Republican River Basin Natural Resources Districts (NRDs) for public relations activities. The activities will focus on two priorities: 1) Activities supporting a legislative proposal dealing with water issues in the Republican River Basin; and, 2) General activities promoting the measures Republican River Basin NRDs have taken in the past.

Overview:

Although regulators and water users in areas where restrictions exist have been dealing with water issues for years, a vast majority of Nebraska's population is relatively ignorant of what has been done in the past, what is being done now, and what should realistically be done in the future to respond to Nebraska's water issues. Many Nebraskans outside of the impacted region – including legislators – feel that the area natural resource districts (NRDs) are to blame for the problems we have now. Many urban citizens are concerned that their sales and income tax dollars will be used to pay for irrigators who “should not have been taking water in the first place.” This is a fairly common attitude, especially in the eastern part of the state.

Although the NRDs are getting engaged in a public relations effort a little late in this process, public opinion is not so firmly entrenched that citizens cannot be better informed and learn new information about this situation and why “turning off the water,” or “letting the Republican River folks fend for themselves” are not viable economic options. Messages to these citizens must be developed to respond to their concerns about this situation and explain why the Republican River Basin NRDs' legislative proposal is the right one for them, as well as the Republican River Basin residents.

The public relations activities involved in this effort would be performed in coordination with advice from the lobbyists who would be actively engaged in passing legislation.

Activities could be targeted to specific legislative districts where needed or appropriate. A broader, more general public relations effort will target mass media throughout the state, but mostly outside of the Republican River Basin media markets.

This proposal does not include a "paid media" or advertising component. The activities described below are "earned media" placements. These have greater credibility than paid advertising. However, depending on your budget, at critical times you may wish to add a radio or newspaper advertising buy to support these efforts. The cost and details of paid advertising activities can be discussed at a future point in time.

Public Relations Activities:

The public relations activities recommended below should be conducted in a fairly short and intense timeline given that your hope is to help affect the outcome of legislation yet this session. Following are the types of public relations activities PMYCO would be engaged in on behalf of the URNRD. This list may not be comprehensive because other opportunities may arise that we cannot anticipate at this time.

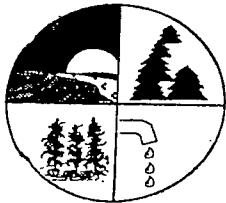
1. Provide intense media training of all designated Republican River Basin spokespeople and representatives to ensure your message is being communicated efficiently, effectively and accurately. (14 hours; \$2,100)
2. Develop talking points, "Question and Answer" materials, and other materials as needed. (14 hours; \$2,100)
3. Schedule interviews for Republican River spokespeople on radio talk shows throughout the state. These spokespeople could be NRD general managers or board members, or even third-party allies who understand the issue and can speak knowledgeably about the issue. (6 hours; \$900)
4. Help recruit "third-party allies" who can tell their story of why a realistic resolution of the water issue is crucial to the people living in the Republican River Basin.
5. Issue news releases and set up radio and television interviews for Republican River Basin spokespeople throughout the state. (10 hours; \$1,500)
6. Schedule and possibly attend meetings for Republican River Basin representatives and the editorial boards of newspapers outside of the Republican River Basin. (8-20 hours; \$1,200-\$3,000)

7. Draft and submit letters to the editor for publication in newspapers throughout the state. (5 hours; \$750)
8. Draft and submit "op-ed" articles for publication in newspapers throughout the state. (15 hours; \$2,250)

Please note that the above costs are estimates. As with all activities of this nature, unexpected circumstances may mean a larger (or, in some cases smaller) involvement of time which would mean some of these estimates may be high or low. These costs do not include out-of-pocket expenses such as mileage, lodging, long distance telephone and fax. A safe total cost for the first phase of this project, however, would be in the \$10,000-\$15,000 range.

Please feel free to contact me at (402) 475-7445 with any questions you may have about this proposal.

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Cost-Share Summary

May 7, 2007

NSWCP FY-2005-06

Funds Remaining \$674.15 carried forward
 Open Applications 0 for \$0.00

NSWCP FY-2006-07

CO District	%	# of Apps	Funds Available	Funds Used	Funds Remaining	Percent Used
NC19	10%	0	\$0.00	\$0.00	\$0.00	#DIV/0!
Frontier	25%	12	\$24,328.18	\$31,413.21	-\$7,085.03	129.12%
Hayes	19%	7	\$18,489.42	\$17,068.32	\$1,421.10	92.31%
Hitchcock	19%	9	\$18,489.42	\$19,703.08	-\$1,213.66	106.56%
Lincoln	18%	5	\$17,516.29	\$9,826.93	\$7,689.36	56.10%
Red Willow	19%	7	\$18,489.42	\$19,001.63	-\$512.21	102.77%
Funds Available			\$97,312.73	Completed	17 for	\$42,420.95
Funds Obligated			\$97,013.17	Open	23 for	\$54,592.22
Funds Remaining			\$299.56	Cancelled	2	

Local Conservation Program

	%	# of Apps	Available	Used	Remaining	Used
Frontier	20%	2	\$21,600.00	\$9,348.34	\$12,251.66	43.28%
Hayes	20%	5	\$21,600.00	\$4,912.17	\$16,687.83	22.74%
Hitchcock	20%	7	\$21,600.00	\$15,277.99	\$6,322.01	70.73%
Lincoln	20%	4	\$21,600.00	\$876.60	\$20,723.40	4.06%
Red Willow	20%	5	\$21,600.00	\$8,908.00	\$12,692.00	41.24%
Funds Available			\$108,000.00	Completed	14 for	\$8,838.97
Funds Obligated			\$39,323.10	Open	9 for	\$30,484.13
Funds Remaining			\$68,676.90	Cancelled	5	

of Apps

Carryover	0	\$0.00
Trees	12	\$29,084.62
Well Sealing	16	\$4,017.98

New Applications

Name	County	Practice	Costshare	Program	
				LCP	NSWCP
Frontier	FR	Trees	\$9,155.94	YES	0
Hayes	HA	Trees	\$3,878.39	YES	0
Hitchcock	HI	Trees	\$9,279.30	YES	0
Lincoln	LI	Trees	\$0.00	YES	0
Red Willow	RW	Trees	\$6,062.50	YES	0
Ryan	FR	Terraces	\$312.00	0	YES
Ely	RW	Seal well	\$300.00	YES	0
0		0	0	0	0
0		0	0	0	0

2006 Tree Cost-Share

County	Total Planned Cost-Share	Actual Cost-Share	Ft of Mulch	No. of Trees	# of apps
FR	\$9,155.94	\$0.00	18740	2838	8
HA	\$3,878.39	\$0.00	8490	904	4
HI	\$9,279.30	\$0.00	20092	2204	6
LI	\$0.00	\$0.00	0	0	0
RW	\$6,062.50	\$0.00	13335	1505	6
All	\$28,376.13	\$0.00	60657	7451	24

County	#	Name	Trees	Numbers to be planted	planned mulch	deposit	estimated cost share
RW	6	Haag	202	202	2200	\$277.50	\$994.45
FR	7	Miley	204	204	0	\$100.00	\$88.23
FR	8	Lashley	215	215	2040	\$0.00	\$968.71

Permit to Construct
Summary
May 8, 2007

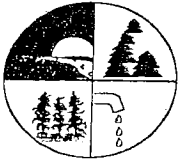
		# of Apps	Completed	Open	EXP/CNX Suspended	Replacement
FY 97-98	(SPA only)	44	34	0	10	0
FY 99		53	46	0	7	6
FY 2000		42	32	0	10	7
FY 2001		71	56	0	15	14
FY 2002		111	100	0	11	18
FY 2003		51	38	0	13	38
FY 2004		8	8	0	0	6
FY 2005		10	6	4	0	7
FY 2006		7	1	6	0	3

FY 05-06

George Seward	HA	NW 23-7-35		Replacement
Village of Stratton	HI	NE 10-3-35		Test Well
Village of Stratton	HI	NE 10-3-35		Replacement

FY06-07

Jack Obrien	LI	SW 31-9-33	Complete	Replacement
Baker Corp.	HI	SW 1-3-33	Complete	New Industrial
George Seward	HA	NW 13-8-35		Transfer Replacement
Donald Olson	RW	NW 27-3-30		Replacement
BIC	RW	NW 8-4-26		NEW Muni
BIC	RW	SW 5-4-26		NEW Muni
BIC	RW	NE 1-4-27		NEW Muni
PEI Ethanol	LI			{Pending
PEI Ethanol	LI			{Ownership
PEI Ethanol	LI			{Confirmation
Don Oppliger	LI	NW 11-10-33		New/Replacement
Merrill Land Co	LI	NE 30-9-34		Settlement-Irrigation
Merrill Land Co	LI	SE 19-9-34		Settlement-Irrigation



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Fax: 308-367-4285
Email: cpeterson@mnrnd.org

Middle Republican Natural Resources District

*Local Conservation Program
Water Meters*

08-May-07

Total Certified Acres

Quick Response Acres

County	CertifiedAcres	No of Wells
Frontier	74125.40	619
County	CertifiedAcres	No of Wells
Hayes	68046.80	482
County	CertifiedAcres	No of Wells
Hitchcock	38699.75	528
County	CertifiedAcres	No of Wells
Lincoln	76431.90	525
County	CertifiedAcres	No of Wells
Red Willow	55302.00	883

County	Certified Acres	No. of Wells
Frontier	24474.1	245
County	Certified Acres	No. of Wells
Hayes	16056.8	149
County	Certified Acres	No. of Wells
Hitchcock	23928.7	379
County	Certified Acres	No. of Wells
Lincoln	7667.1	57
County	Certified Acres	No. of Wells
Red Willow	35815.0	597
Total Acres 107941.70		Total Wells 1427

Total Acres 312605.85 Total Wells 3037

Platte Area Acres

County	Certified Acres	No. of Wells
Frontier	838.2	4
County	Certified Acres	No. of Wells
Lincoln	2549.5	14
Total Acres 3387.70		Total Wells: 18

Usage by County

CountyID	UseID	Water Usage	IrrigatedAcres	# of Meters	Average Use:
Frontier	Irrigation	637873.39	68838.7	597	9.27
Hayes	Irrigation	687176.21	64767.5	477	10.61
Hitchcock	Irrigation	318476.03	32990.9	521	9.65
Lincoln	Irrigation	872914.75	75705.0	517	11.53
Red Willow	Irrigation	514417.36	52258.2	860	9.84

AverageUse: 10.47

*Where are we?
Current status on meter readings*

I think we may be almost done with meter readings for 2006. Dennis went out and spent several days chasing meters and clearing up questions so that I could have numbers for the State. I show 3 meters in Frontier County that I do not have readings on.

NRCS has provided us with a list of acres enrolled in EQIP. I am currently making adjustments for these acres and sending updated reports to owners as needed. This will decrease the number of acres that are on the bottom of the attached report and will increase average usage slightly.

The usage has been submitted to Paul Koester at DNR. Paul has also submitted this information to Kansas. The only question thus far has been that Hitchcock County shows a 46% decline in total volume pumped from 2005 to 2006. Part of this decline is due to the State using our numbers instead of pumping records. There is also approximately 4485 acres in Hitchcock County enrolled in CREP. My records actually show a 7% increase in pumpage from 2005 to 2006 in Hitchcock County.

LOWER REPUBLICAN RIVER BASIN
Data as of 05/06/2007

HARRY STRUNK RESERVOIR (HSNE)
 Top 35705 af, 2366.1 ft
 Current 37600 af, 2367.1 ft
 To fill -1895 af, -1.0 ft
 Computed Inflow --- cfs
 Total Outflow 42 cfs

RPCMNE
200 cfs

RPORNE
--- cfs

Republican River

Bartley Canal
BANE
126 cfs

SCSTNE
--- cfs

HARLAN COUNTY RESERVOIR (HCNE)
 Top 315090 af, 1946.0 ft
 Current 192868 af, 1935.4 ft
 To fill 122222 af, 10.6 ft
 Computed Inflow --- cfs
 Total Outflow 0 cfs

SCORKS
--- cfs

PRDCRE
0 cfs

RPCRNE
4743 cfs

KEITH SEBELIUS RESERVOIR (KSRS)

Top 35935 af, 2304.3 ft
 Current 12090 af, 2290.4 ft
 To fill 23845 af, 13.9 ft
 Computed Inflow --- cfs
 Total Outflow 1 cfs

NEBRASKA

Prairie Dog Creek
POANKS
--- cfs

KANSAS

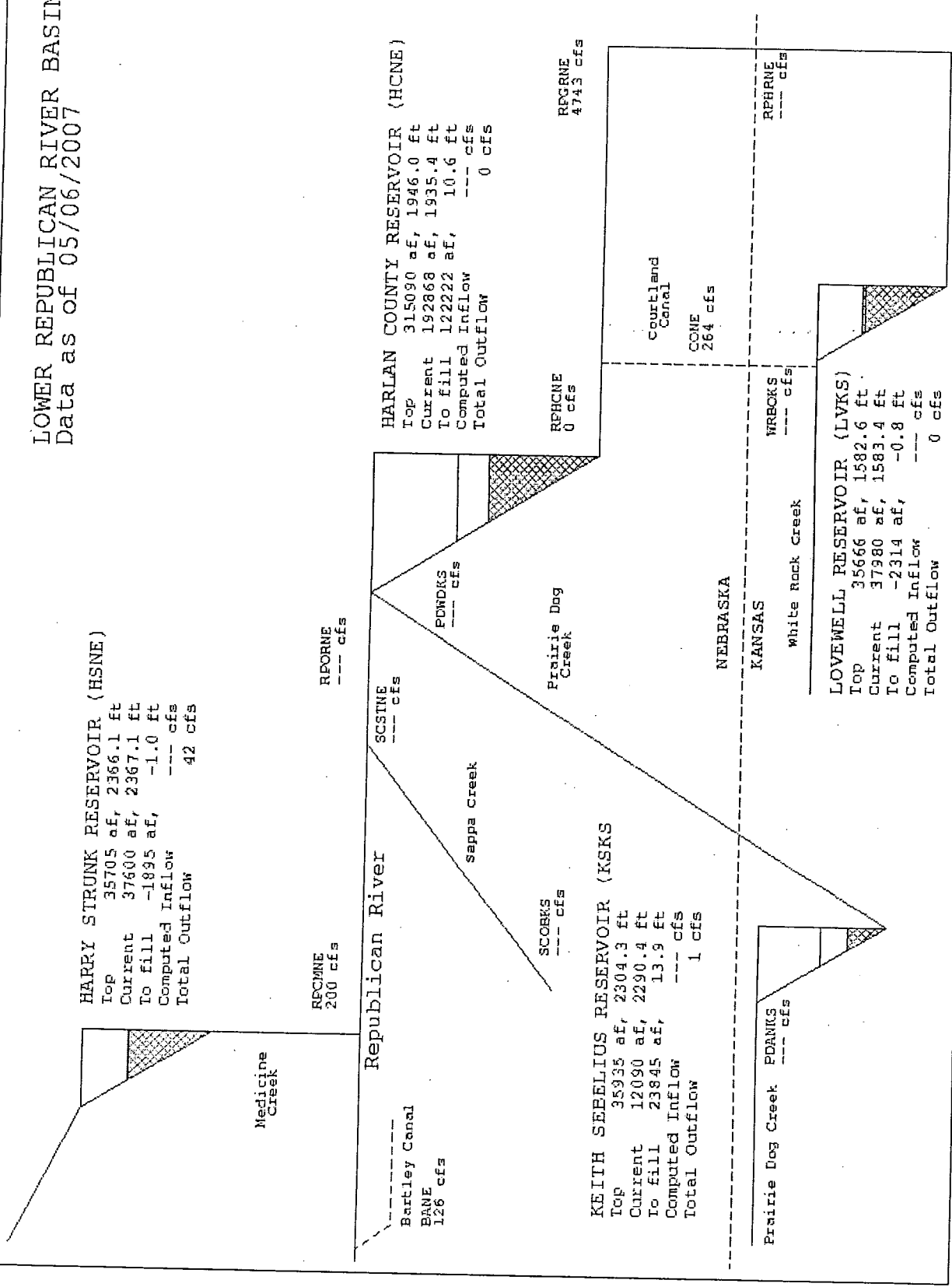
WRBOKS
--- cfs

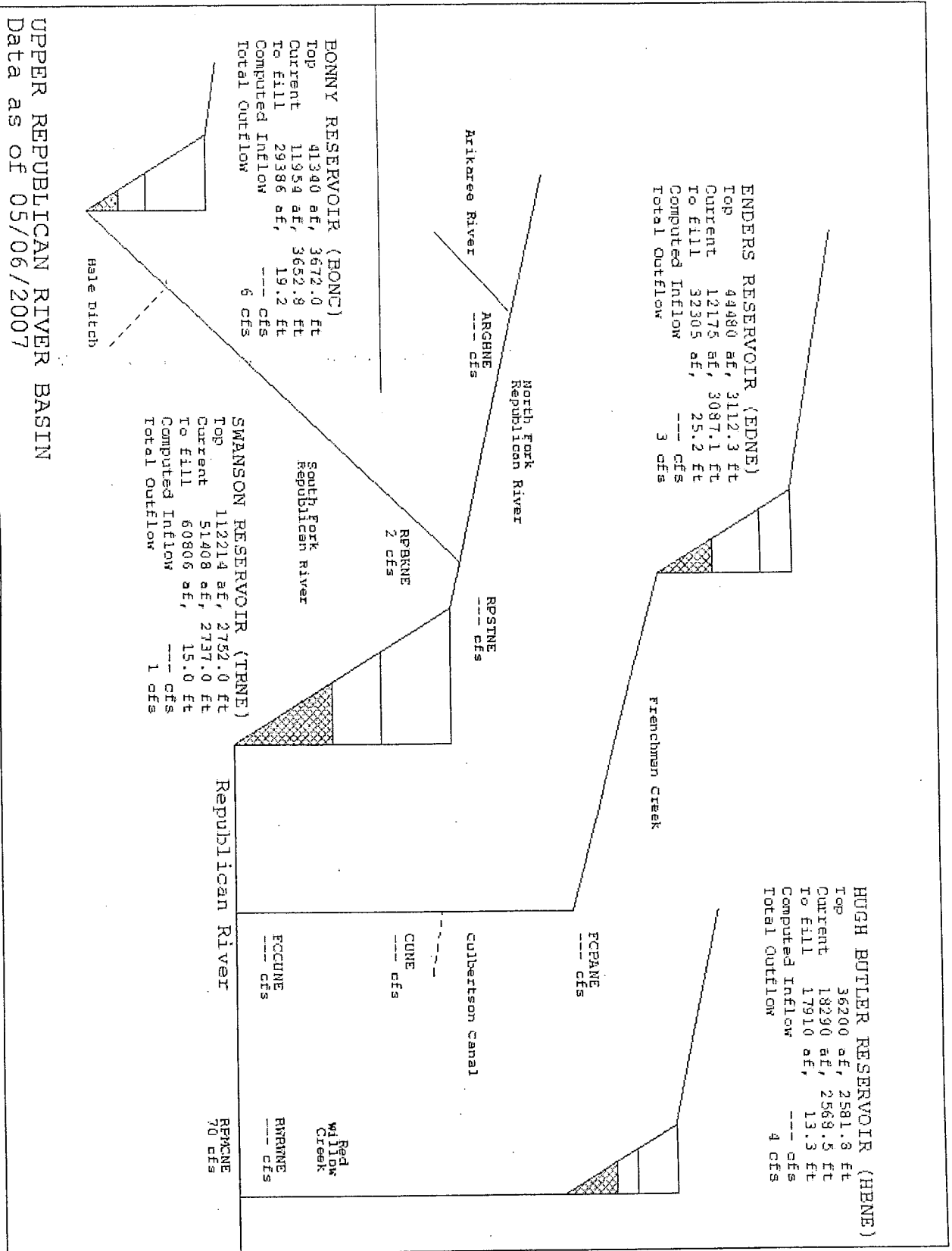
RPBRNE
--- cfs

White Rock Creek

LOVEWELL RESERVOIR (LVKS)
 Top 35666 af, 1582.6 ft
 Current 37980 af, 1583.4 ft
 To fill -2314 af, -0.8 ft
 Computed Inflow --- cfs
 Total Outflow 0 cfs

Courtland
Canal
CONE
264 cfs





Published Wednesday | May 2, 2007
New water law holds long-term benefits, Heineman says
BY LESLIE REED
WORLD-HERALD BUREAU

LINCOLN - The water bill that couldn't make everyone happy was signed into law Tuesday by Gov. Dave Heineman.

The new law, Legislative Bill 701, is intended to help Nebraska comply with a three-state agreement over use of water in the Republican River in southwest Nebraska.

Its costs will be borne by irrigators, dryland farmers and city dwellers, Nebraskans who live in the Republican River basin and Nebraskans who don't.

Fully implemented, its annual costs could hit \$25 million. Most of that would be from new property taxes and irrigation fees in the Republican basin, plus additional taxes on corn and sorghum sold, with about \$2.7 million in statewide sales and income taxes.

And it doesn't guarantee that Nebraska won't have to further restrict water usage to comply with the state's Republican River agreement with Kansas and Colorado, Heineman warned.

But Jasper Fanning, general manager for the Upper Republican Natural Resources District, said the new law is vital to the economy of southwest Nebraska.

"Although this bill may not have everything everybody wanted, it was what everybody needed to keep moving forward, maintain compliance with Nebraska's agreement with Kansas and allow the economy in the Republican basin to remain viable," Fanning said.

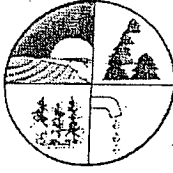
"Drastic reductions in irrigation would have crippled the economy of the region. LB 701 asks a lot of the agricultural sector, but it also provides them the opportunity to continue contributing to our state's economy at a time when commodity prices are very favorable," he added.

Heineman, who made Republican River legislation one of his priorities this year, said the bill was critical, in part because it creates a water resources cash fund that can be used to address long-term water shortages.

"This is vital legislation that will help us to become better stewards of our state's most valuable natural resources," he said.

The new water law:

- Allows for purchase and leasing of water that will be sent downstream to Kansas, in an attempt to meet terms of a 1943 agreement between Nebraska, Kansas and Colorado over river use.
- Spends about \$8 million in state funding in the next fiscal year on projects to add more water to the Republican River, including vegetation eradication and water purchases.
- Sets up a state cash fund for water management projects and gives three Republican River natural resources districts the power to tax irrigators and district residents.
- Authorizes NRDs to impose a new tax levy of 10 cents per \$100 of assessed property valuation on all basin residents and a \$10-per-acre fee on irrigated land.
- Imposes a new, three-fifths-cent per bushel fee on corn and grain sorghum growers when they sell crops, to begin in 2012, to help finance the state cash fund.



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Middle Republican Natural Resources District

May 3, 2007

«First» «Last»
«Title»
«Org»
«Address»
«City», «ST» «Zip»

Dear «First» «Last»,

We would like to encourage you to apply for the Middle Republican Natural Resources District (NRD) Educator Scholarship. Two scholarships are available each year worth \$150 each.

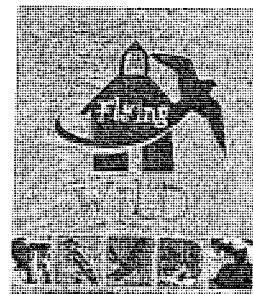
Teachers interested in applying should fill out the enclosed application. Also enclosed are the scholarship guidelines. Please feel free to make copies of this information and distribute to other teachers. You may also apply online again this year at:
<http://www.mnrnd.org/programs/education/scholarships/scholarships.html>

To be eligible, teachers must be employed by a school that is either a) located in the Middle Republican NRD or b) whose school population includes a significant portion of students who reside in the Middle Republican NRD. This includes all of Hayes, Hitchcock, and Red Willow counties and portions of Lincoln and Frontier counties (*see enclosed Map for details*). Teachers must intend to teach at that school in the 2007-08 school year. Teachers must be enrolled in a class/workshop that relates to natural resources or agriculture. The MRNRD keeps a list of available workshops.

The following workshops are pre-approved to receive scholarships:

Flying WILD Training Workshop

Sponsored by: NE Dept of Education & NGPC
Location: Lake McConaughy, Water Center, Ogallala, NE
Dates: June 28 - 29, 2007
Registration Fee: \$30.00 refundable deposit
For more info: Jeanine Lackey (402) 471-5581
Jeanine.lackey@ngpc.ne.gov



Flying WILD's focus on migratory birds is designed to inspire young people to discover more about the natural world. Activities connect teachers and their students to Science, Social Studies, Math, Language Arts, and Art. Awareness of birds and their conservation needs leads to action projects that connect the curriculum to the real world. This approach empowers teachers, students, school administrators and community organizations to tap into

the services and resources provided by the network of bird experts, bird organizations, and environmental professionals assisting with the Flying WILD initiative. There will be a .5 continuing education credit offered through Chadron State College.

Scholarship applications must be received in the Middle Republican NRD office before the close of business on June 1, 2007.

Please consider applying this scholarship to any other teacher training in natural resources that you are aware of for this summer that you are interested in attending. Please include the information about your chosen workshop with your application.

Also enclosed is information about the upcoming Healthy Water, Healthy People workshop. This workshop is free; though you will need to send in a \$30 check to hold your registration (Deadline is May 14th). The workshop is being held in Nebraska City this June 19-21. This workshop is for formal and non-formal educators who teach 9th and 10th grade students. This workshop will focus on water quality (drinking water and watersheds). You will receive a water testing kit to take back to your classroom. I will be there as well!

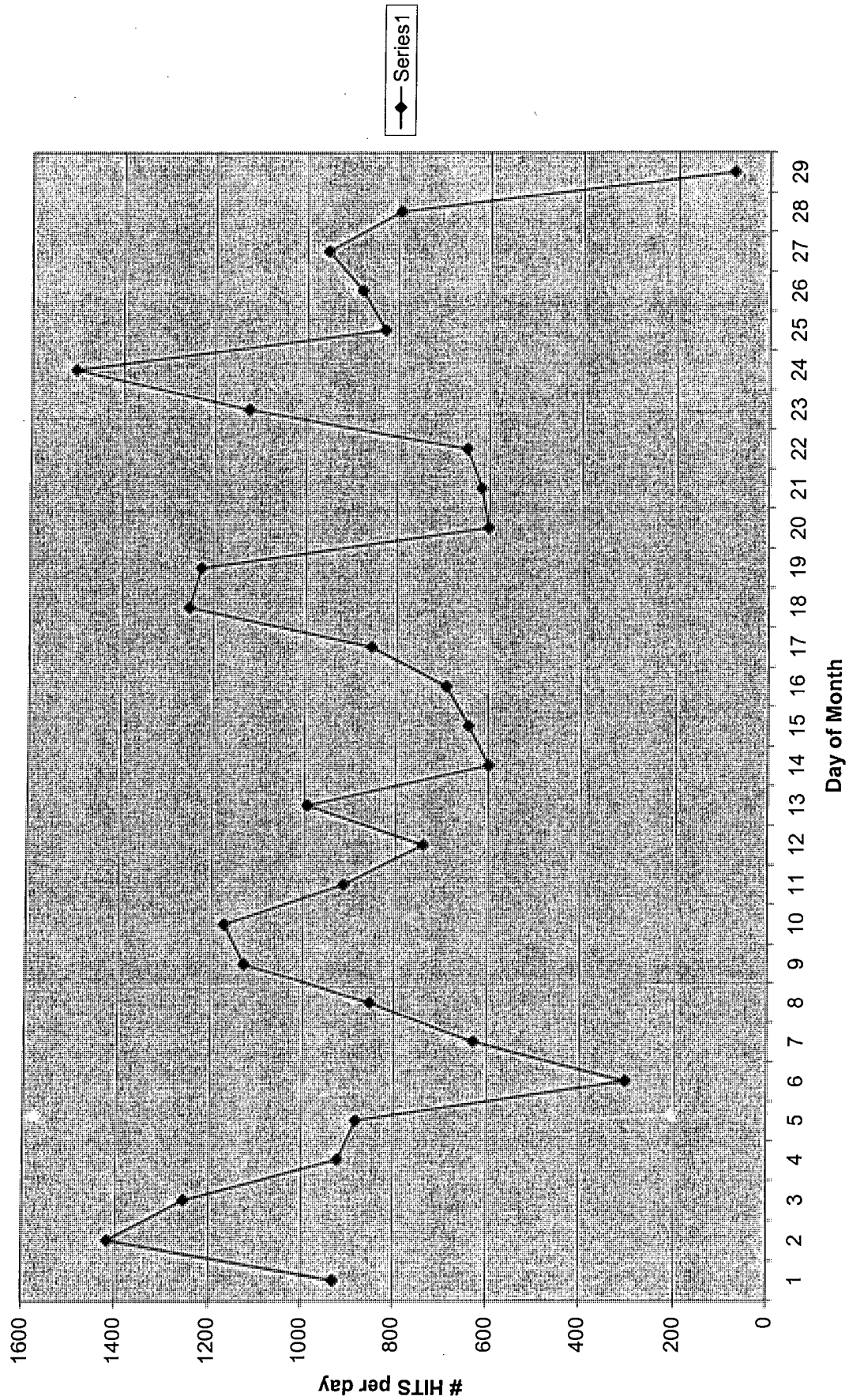
Please call me if you have any questions or for further information.

Sincerely,

Roger Lawson
Information and Education Coordinator

RSL/rsf
Encl.

MRNRD WEBSITE HITS FOR APRIL 2007



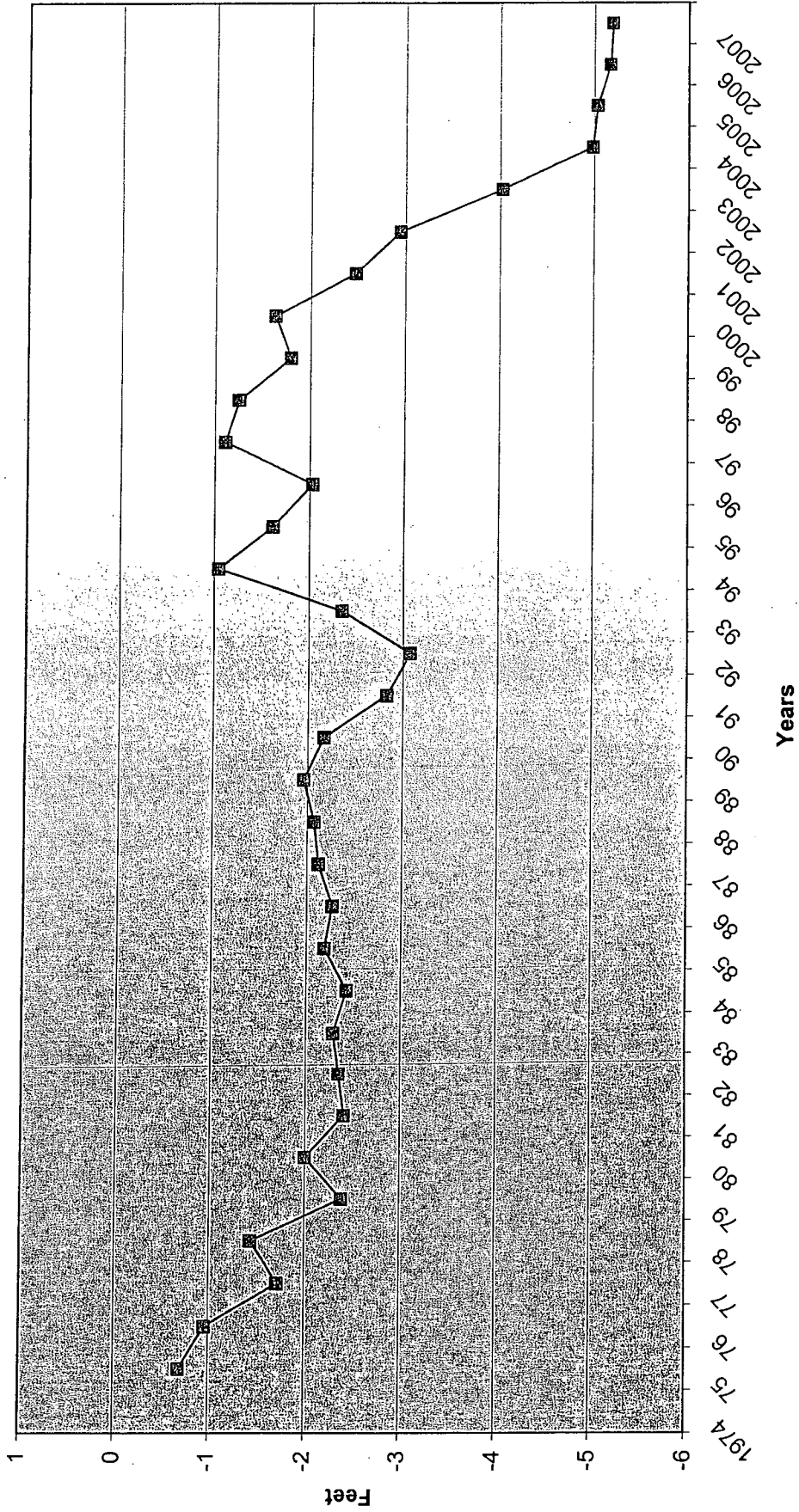
MIDDLE REPUBLICAN NRD

GROUNDWATER MONITORING PROGRAM

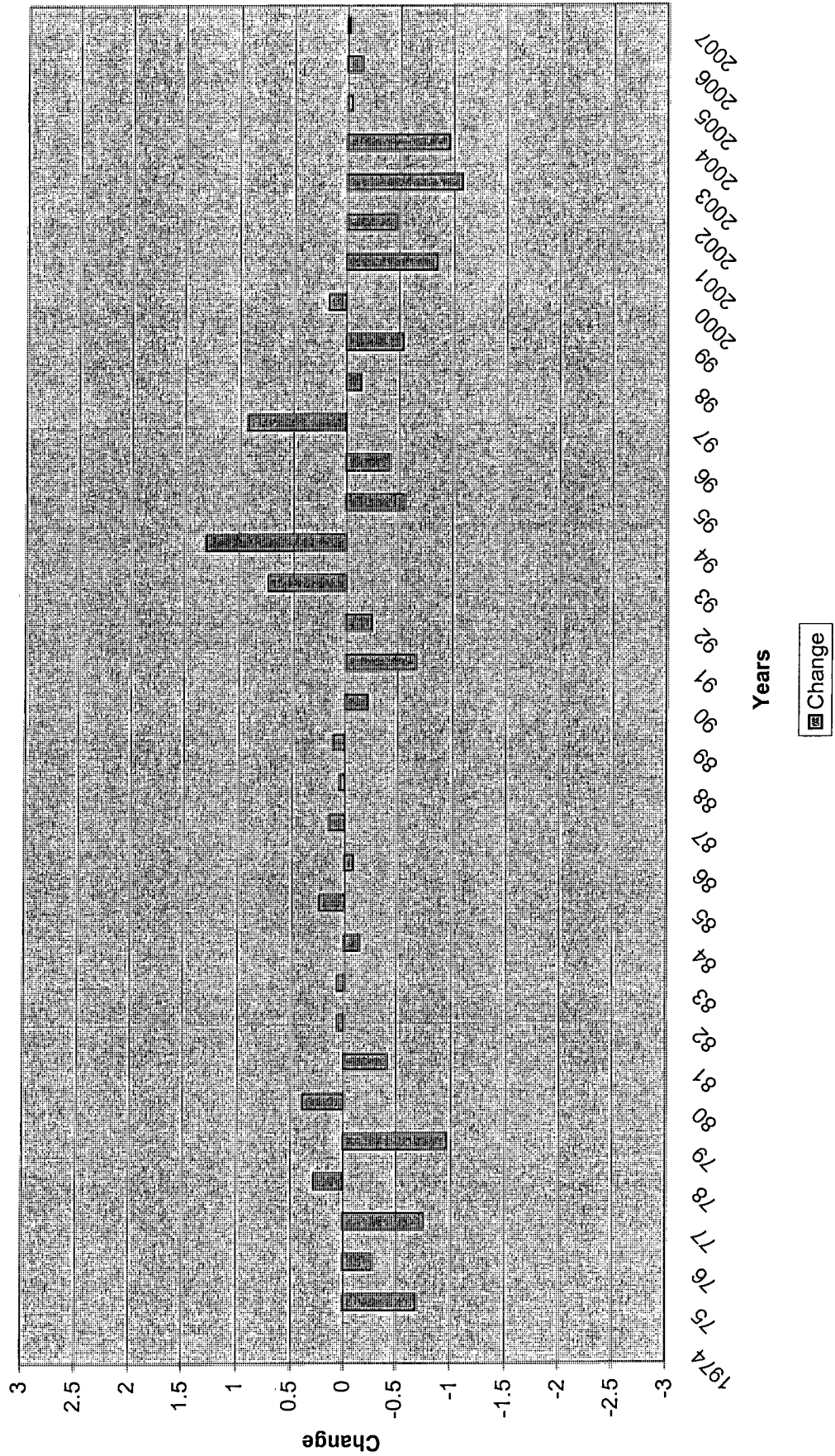
Summary Comparison of Spring 2006 to Spring 2007

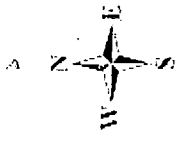
	FRONTIER	HAYES	HITCHCOCK	LINCOLN	RED WILLOW	NRD
No. Wells lower than <u>Spring2006</u>	16	11	8	11	15	61
No. Wells higher than <u>Spring2006</u>	16	9	15	11	9	60
No. Wells not changed from <u>Spring2006</u>	0	0	0	0	2	2
No. Well <u>not</u> measured	1	1	1	1	1	5
Total No. of Wells in Monitoring Program	33	21	24	23	27	128
Greatest decline in 1 well	-0.81	-1.93	-0.94	-2.48	-3.35	-3.35
Greatest rise in 1 well	1.24	0.73	1.28	0.76	2.27	2.27
Average Water Level Change Spring 2007	0.032420	0.232860	0.179167	0.070435	0.127040	0.027110
Average Annual Decline Since 1974						-0.15752

Cumulative Change
Spring Measurements
2007



Yearly Change Spring Measurements 2007





Spring Well Measurements
in the Middle Reptilian

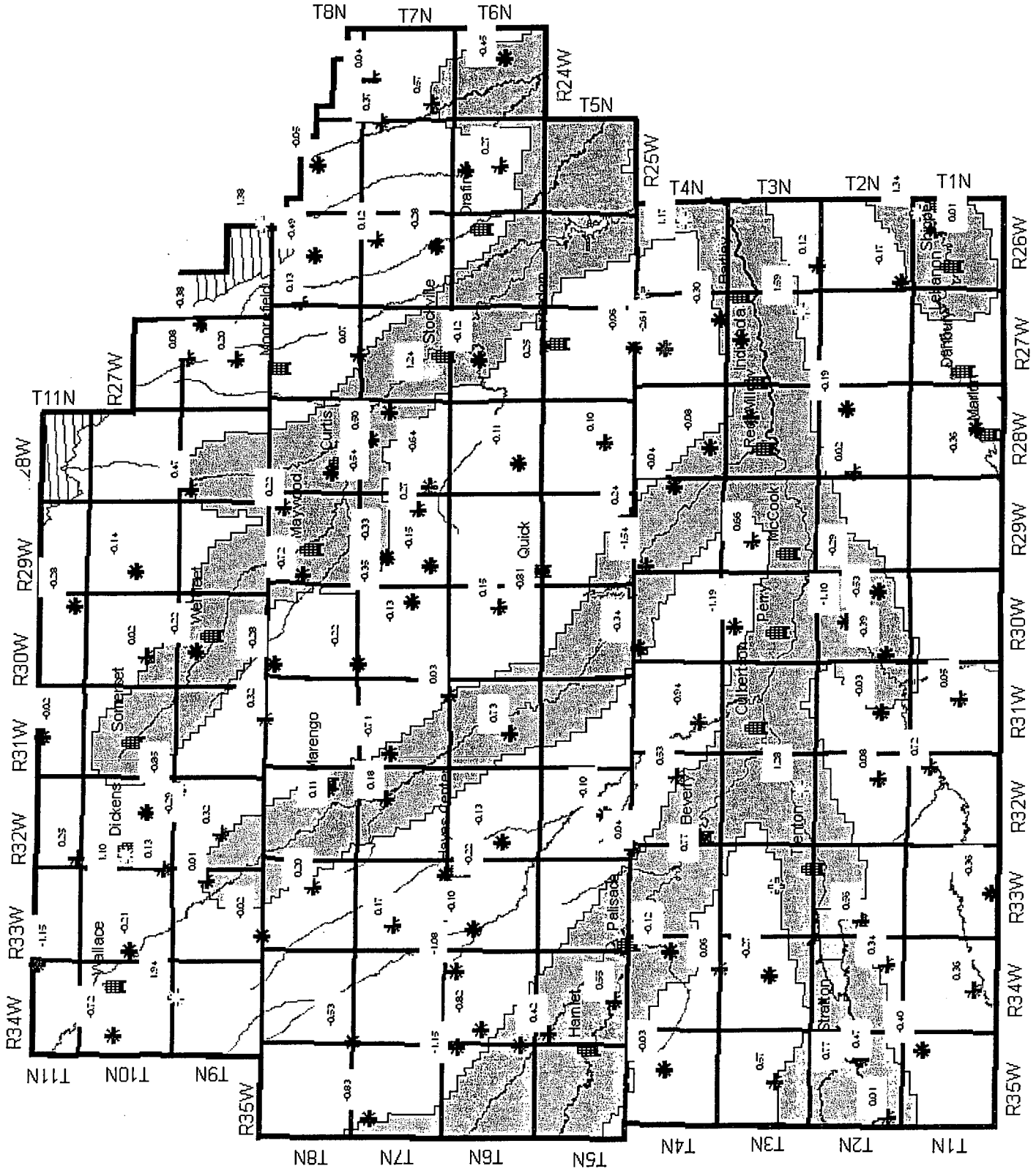
Legend

- Platte Area
- MRNRD, Quick, Response

Spring 2007 Measurements

YCHAIIGE

- * 2.81 - 1.60
- * 1.59 - 0.60
- * 0.59 - 0.00
- * 0.01 - 0.77
- 0.78 - 1.94



This map was created by the Middle Reptilian MRNRD, Quick, Response

April 07 2007