

DNR MEMO

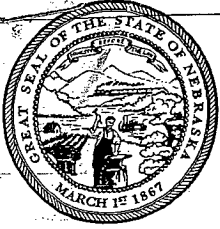
October 14, 2005

TO: Mike Thompson
FROM: Ann Diers 
SUBJECT: Imperial Republican Request

Attached is a copy of the letter to Russ Pankonin regarding his public records request. Pursuant to this letter, his revised request must be addressed by sending the materials identified under 1, 2, and 3 of the letter by around November 18th. The materials responsive to his request must be reviewed by Dave Cookson, as well as me prior to sending them out.

Our meeting next week will hopefully get us started in getting the materials responsive to this request gathered on a timely basis.

You will be primarily responsible for getting the materials together. We can discuss any questions you have as they arise.



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES
Roger K. Patterson
Director

October 14, 2005

IN REPLY TO:

Mr. Russell D. Pankonin, Co-Publisher
The Imperial Republican
622 Broadway
P.O. Box # 727
Imperial, NE 69033

RE: Letter Request Dated October 6, 2005

Dear Mr. Pankonin:

The Nebraska Department of Natural Resources received your request for copies of public records on October 11, 2005.

This letter is being sent to comply with Neb. Rev. Stat. § 84-712(4), which provides that if the records cannot be provided to a requester with reasonable good faith efforts within four business days after actual receipt of the request due to the significant difficulty or the extensiveness of the request, the Department will provide a written explanation, including the earliest practicable date for fulfilling the request, an estimate of the expected cost of any copies, and an opportunity for the requester to modify or prioritize the items within the request.

In our conversation this morning, I told you that the request as drafted in your letter was extensive, and that if you did not wish to revise the request, the Department would not be able to provide the information requested for some time period, which it cannot estimate until it researches the impact, but that the time period would most likely be a number of months.

We also discussed that your letter offered to further "clarify" the request. I advised that if you would clarify the request to include and be limited to "Republican River Compact Administration related material," or "Republican River Compact Administration computations of water use and water supply," the Department would anticipate being able to provide the requested information in about five weeks, or three weeks, respectively, from the date of this letter.

You indicated that you wished to clarify and revise your request to be limited to the following items, to the extent generated since January of 2005:

clrshare/diers/2005

Mr. Russell Pankonin
October 14, 2005
Page 2

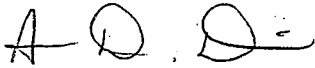
1. Republican River Compact Administration computations of water use and water supply.
2. Written correspondence with the NRDs by letter, memo, and/or email concerning Republican River Compact Compliance, but not including any such documents relating to the preparation of integrated management plans prior to their adoption.
3. Model runs involving various assumed facts to produce scenarios and make projections relating to Compact compliance.

Based on this more limited clarification of your request, the earliest date the Department could fulfill the request would be five weeks from the date of this letter. At the present time, the Department is not able to provide you an estimated cost. Please sign below and return a copy of this page to me as your acknowledgement of your revised request.

You are also advised that you may modify or prioritize the items within your request.

If you have any questions, please contact me.

Sincerely,



Ann D. Diers
Legal Counsel

Acknowledgement:

Russell D. Pankonin

The Imperial Republican

622 Broadway
P. O. Box 727
Imperial, NE 69033

OFFICIAL COUNTY NEWSPAPER

COMMERCIAL PRINTING

Phone 308-882-4453
FAX 308-882-5167
Email:imp@gpcom.net

October 6, 2005

RECEIVED

OCT 11 2005

Ms. Ann Bleed
Director, Department of Natural Resources
301 Centennial Mall S. Fourth Floor
P.O. Box 94676
Lincoln, NE 68509-4676

DEPARTMENT OF
NATURAL RESOURCES

Dear Ms. Bleed:

This is a request for copies of the public records described below, made pursuant to the Nebraska public records statutes, Neb. Rev. Stat. §§ 84-712 et seq. [and, if applicable, the Nebraska Criminal History Information Act, Neb. Rev. Stat. §§29-3520 and 3521].

I desire copies, either in hard copy or electronically, of the following records:

Any Republican Basin related material generated since January of 2005, including:

- Worksheets
- Powerpoint presentation slides
- Reports
- Model Run data inputs and outputs, both verified and unverified by outside consultants
- Correspondence with the NRDs by letter, memo, and/or email. (Attorney General opinion says email is public.)

I understand that you may charge a fee not exceeding the actual cost of making the copies available, and I agree to pay such fee. If the cost of the copies sought in this request will exceed \$75.00, please let me know that before making the copies.

Pursuant to Section 84-712, you are required to provide the copies requested in this letter within four (4) business days from your receipt of this letter, or else provide the written explanation required by that statute.

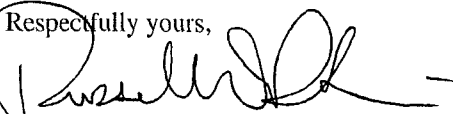
While I am confident that the records requested are public records under the statutes, if for any reason you deny this request, please provide the information required by Section 84-712.04, specifically:

- (a) A description of the contents of the records withheld and a statement of the specific reasons for the denial, correlating specific portions of the records to specific reasons for the denial, including citations to the particular statute and subsection thereof expressly providing the exception under section 84-712.01 relied on as authority for the denial;
- (b) The name of the public official or employee responsible for the decision to deny the request; and
- (c) Notification to the requester of any administrative or judicial right of review under section 84-712.03.

You may send the copies to the address listed above. I am preparing news information for current publication and it is therefore important to me that I receive the requested records in a timely manner. If there is anything I can do to clarify this request for you, or otherwise assist your fulfillment of this request, you can reach me at 308-882-4453.

Thank you for your attention to this request.

Respectfully yours,



Russell D. Pankonin
Co-Publisher



Russ and Lori Pankonin, Co-Publishers

DNR 007743

The Imperial Republican

622 Broadway
P. O. Box 727
Imperial, NE 69033

OFFICIAL COUNTY NEWSPAPER

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October 6, 2005

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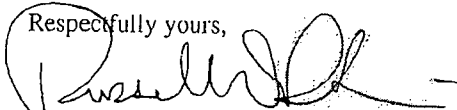
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Thank you for your attention to this request.

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Russell D. Pankonin
Co-Publisher



Russ and Lori Pankonin, Co-Publishers

DNR 007744