

Public Hearing Testimony before the URNRD March 3, 2005



I would like to complement the Board for the things that I think it is doing well:

1. Protecting the carryover and the pooling are essential to the ability to raise a crop. I thank the negotiating committee for protecting these two critical concepts.
2. I appreciate the Board's decision to support the importing of water into the Basin as a part of the solution. I believe the importation of water will provide a long-term plan that will benefit the community. I hope the Board is sincere in its support.
3. I appreciate the many hours the Board is willing to spend on the issues, with little pay and little thanks.
4. I appreciate the board members who want to protect the aquifer.
5. I appreciate the few board members who are willing to talk about the issues and to hear ideas and input. We may not always agree, but the willingness to listen and consider things is appreciated.

Now, for some of what I hope will be viewed as constructive criticism. There are several things that I think the Board needs to work on.

1. I do not like the fact that the Board has hidden much of the process from the public and that the negotiating committee has even kept information from some of the other board members. I think the decisions being made by this Board will affect the entire community, and the community should be involved and aware of the options as well as what is at stake. I believe this Board has intentionally excluded the public from much of this process, and I believe that is wrong.
2. The Board has willfully ignored information that is relevant to the decisions it is making. The Board could access information that shows any well far from the stream has no affect on the stream flow. That means any reduction in allocation for these wells does not help comply with the Settlement with Kansas. For the Board to choose to ignore this information is a disservice to the people it represents. I know that the board wants to be fair and cause everyone to experience the same policies but this ignores economic reality.
3. That is not the only relevant information that the Board has chosen to ignore, which is much of my complaint. The majority of the Board appears to have an agenda. There is a desire to reduce water usage. Any information that does not support that concept is ignored.
4. There is a rush to put these new rules in place, even though the Board is aware of evidence that shows the plan will have almost no benefit to the

stream flow. The Board complains about how slow the DNR is and how the process delays the reductions.

5. I am glad there is a law in Nebraska that requires a public hearing. I am under the impression that, if such a law did not exist, this board would choose to act without public input.

The secrecy, the closed meetings, the private negotiations, the withholding of information from certain board members, and the decision to ignore information that does not match the agenda is bad for this community. It breeds distrust and causes disrespect. I hope the Board will choose to change this.

As to the specifics of the plan, I personally will survive 13.5 inches with carryover and pooling. Many will. The ones who will be hurt are those who have smaller farms with small pools as well as those who have sandy soil.

Reducing the allocation of anyone far from the stream has no benefit to the Settlement.

Let's consider a person on the Chase/Dundy county line with sandy soil more than five miles from the stream. This person has more than 400 years worth of water under them. A reduction from 14.5 to 13.5 will extend the life of his aquifer access from 400 years to 428 years. However, you have made it more likely that this farmer's children will not live here 10 years from now.

Or, take the well owner who has only 30 years of aquifer. The reduction you are making now may extend his aquifer life by 2 years but at significant cost to the community now.

From the comments you have made at the board meetings, I know many of you are determined to pass this IMP regardless of what the public says. I ask that you stop and adjust the plan to match the facts:

1. A reduction from 14.5 to 13.5 will have no benefit toward the Settlement.
2. You are not required to do this. The Settlement requires the State to comply with the Agreement. It does not give Nebraska permission to ignore its own laws as it complies.
3. This District is making cuts while the other three districts have increased usage.
4. The water transfer from the Platte to the Republican River Basin will allow the URNRD to stay in compliance with the Settlement for many years at a much lower cost than the retirement of acres.

Ask yourself before you vote: "Am I you doing what is in the best interest of this community? Does my vote reflect the needs of the people I represent?"

In two years, there will be another election. How you vote on this IMP will play a large factor in the next election.

Submitted by Steve Smith on behalf of WaterClaim.