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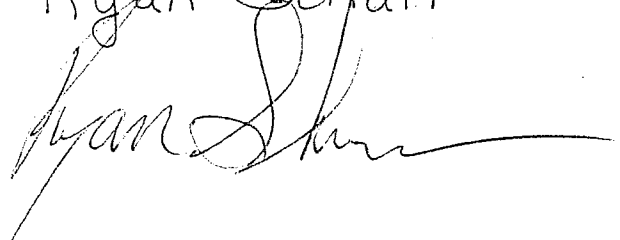
10-9-04

Middle Republican Natural Resources District Board.

I would like to urge the MNRD board to vote against the adoption of the rules as they were presented at the hearing on Oct 6<sup>th</sup> in McCook concerning ground water management.

There are many items in these rules that must be changed to make them more user friendly and acceptable to the water users of this district.

Please vote against and improve some major problems in the rules. By voting against, you will help improve ~~the~~ the economics of the area and enable the water users of the district to continue their livelihood.

Ryan Schurr  


Mick Cox's testimony for Oct 6, 2004 for official record.

Tonight is a sad night because we are witnessing the demise of local control.

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In case there has been any doubt over who runs the show regarding water rights, what is happening tonight will remove any doubt. The DNR is the master and this NRD board is the humble servant.

This is a sorry state of affairs and not what the legislature envisioned when they set up the NRD system some thirty years ago and purposely gave authority over groundwater – not to the state, but specifically to NRDs.

After the meeting tonight, after this board has bowed down to the wishes of the state, Roger Patterson will get into his new state vehicle, drive back to Lincoln, and declare “Mission Accomplished”

You (the board members) will go home and feel relieved that this painful issue is behind you.

However, we will go home and begin pondering our futures.

We all understand that we must comply with the settlement agreement; but the plan the DNR is forcing down our throats is unacceptable. PERIOD. The DNR has taken the easy way out by putting all the burden, risk and pain on only groundwater irrigators. This just cannot be! In accordance with the precedent set in the Low Level Radioactive Waste Ruling, the State of Nebraska – THE ENTIRE STATE – must bear the financial burden of the ill-fated settlement the state agreed to. Neither Republican River NRDs nor irrigators out here are liable for the state's poor negotiations skills.

The Bureau of Reclamation in a 1985 study of the Republican River Basin identified conservation measures (terracing, residue management, pasture dams and ecofallow farming) as contributing the largest depletions to the basin water supply. Second on the list was riparian vegetation, (I.E.) Cottonwoods and Salt Cedars.

What has the DNR done to address these major factors that would certainly increase river flows into Kansas? Absolutely nothing. Instead they limit their focus on groundwater pumping which has a far less direct effect on river flows.

Governor Johanns needs to tell DNR to go back to the drawing board and come up with something new because this plan is unacceptable.

We cannot and will not sit idly by and let this happen. We will not put our communities in such jeopardy.

Many of you on this board have absolutely no stake in the outcome of your decision. Those of you who do not irrigate or have no direct ties to agriculture should disqualify yourselves from voting on this issue because you cannot possibly understand the gravity of the matter. It will not directly affect you economically.

Some 60 miles east of here is an NRD board with some backbone, some fortitude, some resolve. They have decided that until their many concerns and questions are addressed by the DNR, they will not act. That is what this board should do.

There is no rush. There will be no basin wide program without all these NRDs on board. Until the Lower Republican NRD does something the whole program is on hold.

As stakeholders in this mess, we ask that you bow your back and begin defending the local communities and schools here that are sustained by the real estate, property tax and income and sales tax dollars farmers and ranchers pay.

We ask that you tonight exhibit local control, rather than local subservience to the DNR, who is not your master.

Again, this plan is unacceptable. We cannot live with it. We absolutely have to have the ability to carry saved water forward in a water short year. Otherwise there can be no incentive to save. The governor must inform the DNR to go back to the drawing board and come up with something that will not destroy lives and communities.

In closing, if this board chooses to represent the DNR rather than it's constituents who elected them we have no choice but to start working overtime to change the composition of this board, and once that is accomplished to then address the management of this very board.

*Mick Cox - Hayes Center, NE.*

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10-7-04

Middle Republican Natural Resources District Board,

I would like to urge the MNRD board to vote against the adoption of the rules as they were presented at the hearing in McCook concerning ground water management, on Oct. 6<sup>th</sup>.

There are many items in the present rule that need to be changed to make them more acceptable to the water users of the district. Please do not rush into a decision at this time that will affect so many people's livelihoods, and the economics of the whole area.

Please vote against the present rules.

Kay Schurr  
Kay Schurr


10-8-04

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Middle Republican Natural Resources District Board,

I urge the MNRD board to vote against adoption of the rules as presented at the hearing on ground water management on Oct. 6<sup>th</sup> at McCook.

There are many items in those rules that must be changed to make them more acceptable to the water users of the MNRD. By voting against and improving some major problems in the rules, you will help to improve the economics of this area.

John W. Schurr  


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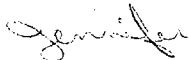
Middle Republican NRD Board  
PO Box 81  
Curtis, NE 69025

Dear Sirs:

There's no nobility in this paradox. If you think you're saving us in spite of ourselves, you are mistaken. If you think that you are preserving local control by allowing the State to successfully threaten you into submission, you're actually ceding local control. You are the representatives of the people. How can a representative listen to a room full of people practically begging you not to vote for a certain program and then resolve to vote for it anyway? In the last several years, I've become disillusioned with the democratic process. When I see my good-hearted neighbors not heeding the pleas and reasonings of those they are to serve, I am befuddled and discouraged. What is the use of "local control" when it is anything but that? One might as well quit protecting "local control," if one isn't going to represent the locals.

Local control, to me, means that those among us create and enforce rules and regulations that are made at the community level to protect and govern ourselves and our neighbors. I don't think the definition should be changed to: the locals listen solely to the State in its opinions and efforts to control the locals.

Please listen to the people of your district. Even though I do not live in your district, your decision affects me. Your decision gives the State a tool to use against my own Board. Your decision affects all of Southwest Nebraska. Please don't give up local control in order to save local control. If we work together, we can accomplish a lot...even get the State to listen to other options. There really are other options.



Jennifer Smith  
PO Box 760  
Imperial, NE 69033

Stan and Ann Farr  
HC 70 Box 30  
Farnam, NE 69029

Oct. 8, 2004

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Board of Directors  
Middle Republican NRD  
220 Center Ave.  
Curtis, NE 69025

Dear Sirs;

We feel that you as a member of the Board of Directors for the MRNRD have a moral obligation to vote AGAINST the proposed draft of the RULES AND REGULATIONS for the Ground Water Management Area and Integrated Management Plan as presented to the public on October 4, 2004.

We live in Frontier County, where we raise dry land and irrigated crops and maintain a cow calf operation. It appears that your proposed rules and regulations will affect not only our ability to grow crops, but also the water for our livestock as well.

Our irrigation wells are 300+ feet deep and are pumping out of the Ogallala aquifer. We look to the counties to our north and to the east and see new wells being currently drilled, and wonder why the farmers in the MRNRD are being singled out for these severe restrictions that you are proposing?

If our pumping out of the Ogallala aquifer affects the flow into the Republican River, than everyone pumping out of the aquifer, especially those to the north and west of us should be subject to the same rules and regulations you want to place on the farmers in the MRNRD!

You must look at every possible alternative! You can not force the current irrigation farmers in the MRNRD can carry the full responsibility for correcting the problems created by the current drought!

Since the drought years of the thirties, farmers have been doing what our government asked of us, protecting and conserving our land and water. And we have done a good job! Our land would probably look more like those dust bowl days now if it were not for the terracing, diversions, pasture dams, wind breaks, etc., that we have all worked hard to establish and maintain.

And don't we have the right to vote on these proposals? It's our livelihoods that you are attempting to control and change!

We attended the meeting Tuesday evening and will not attempt to repeat the many suggestions made to you at that time. But you must consider each and every one of those suggestions thoroughly, as what was presented to you was very valid and honest.

Controlling of the ciders in the pastures, the unnecessary trees along the Republican River and the many creeks flowing into that river would be a good place to start.

Please take the time to look at all the options before you take action. Surely you can come up with alternatives that will treat all farmers fairly.

Please determine a plan that will give the farmer the stability and knowledge we deserve so that we and our banks, our local businesses, and our communities will be able to plan from one year to the next.

Sincerely yours,  
Stan and Ann Farr

Handwritten signatures of Stanley Farr and Ann Farr. Stanley's signature is on the left and Ann's is on the right, both in cursive.

HC 70 Box 30  
Farnam, NE 69029



Testimony before the  
Middle Republican Natural Resource District

October 7, 2004

Presented by  
WaterClaim  
PO Box, 698  
Imperial, NE 69033  
308 882-3020

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**Protect or Submit**

Can your farmers survive with 13 inches with no carryover use allowed in a water short year? Can they survive with less? We have the DNR data. We have the Model data: the inputs, the outputs, and the worksheets. We have DNR data that you have not been given. The 13 inches is the first step. The DNR will ask for more reductions in future years. The Lag Effect is a looming monster that will demand more cuts.

Remember the NRD is not required to make any changes for water uses that were in place prior to May 20, 2003.

What happens if the NRD chooses to exercise its rights to protect the local communities by holding off taking any action? Kansas must still be satisfied.

If you are the Governor, what do you do? You can't force the NRDs to betray their families and neighbors unless you change the law. The State does have other options.

- a. Remove enough trees to increase the virgin water supply in order to come into compliance. According to previously posted DNR numbers, removal of invasive plant species to the level they were at prior to dam construction would provide more than double the amount of water necessary to comply with the Settlement.
- b. Renegotiate the Compact division of water. The Compact allows the three states (Colorado, Nebraska, and Kansas) to renegotiate the division of water to adjust for any changes in stream flow. When the Special Master declared the aquifer to be a part of the stream flow, the percentages for each state changed from 11%, 49% and 40% to something very different. Nebraska has a much larger percentage of the aquifer than Kansas and, hence, the share of the water due each state should be modified to reflect this change. As the State is responsible for compliance, it has a strong incentive to renegotiate these percentages to reflect the new reality.

- c. Persuade landowners, with State dollars, to retire their irrigation rights through financial incentives. This may be administered through the NRD as it does its part to help the State.
- d. Restrict surface water uses, as Colorado was forced to do in its differences with New Mexico.

Each solution has its advantages and disadvantages.

We believe the NRDs should choose to protect the local communities that they represent. This will cause the State to seriously consider options it is not looking at now. Today, the State is looking at one option only – that is, shutting off wells and causing southwest Nebraska to take the economic loss for the State. This was the easy solution.

There are other options that can solve the Settlement requirements without the NRDs voluntarily sacrificing their hometowns. The State will not look at those other options if the NRD volunteers to take upon itself the duty of the State.

The choice is in your hands. Do you protect your community or give up your friends and neighbors?

*Steve Smith  
for Water Claim*