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## Testimony in support of draft Rules and Regulations Wayne Madsen

To prevent the State of Nebraska from taking control of groundwater, it is necessary that the Middle Republican NRD take steps to adopt the proposed rules and regulations being heard at the public hearing scheduled for October 6, 2004.

I have seven reasons why the proposed rules and regulations should be adopted. They are as follows:

- 1) These rules and regulations are as good as we can expect at this time.
- 2) The proposed rules and regulations and integrated management plan has been accepted by Nebraska Department of Natural Resources.
- 3) On September 8, 2004, the water committee met with Governor Johanns, assistant Attorney General Dave Cookson, and Ann Bleed. When we left that meeting, I felt we left the above-mentioned people with the impression that we, the directors of the MRNRD, would take action to adopt these rules and regulations at our October 12, 2004 meeting.
- 4) During Governor Johanns' remarks to the NARD conference on September 27, 2004, he said the Middle Republican NRD is taking the lead in the Basin and is expected to adopt their proposed rules and regulations on October 12, 2004
- 5) In Roger Patterson's report to the Natural Resources Commission on September 28, 2004, he told the commission members that the Middle Republican NRD is taking the lead on rule development and that he expects the MRNRD directors to adopt them at their October 12, 2004 meeting.
- 6) During the Republican Basin meeting on September 28, 2004, Dave Cookson, assistant Attorney General told the attendees that he had been in Washington D.C. and had been talking with attorneys from the US Department of Justice and Bureau of Reclamation. These people expressed concern that the inappropriate and or lack of action in the Basin would put the state out of compliance with the settlement terms. Adopting these rules and regulations will keep the Middle Republican NRD in compliance.
- 7) Kansas has already expressed concern for inappropriate action and lack of action by Nebraska