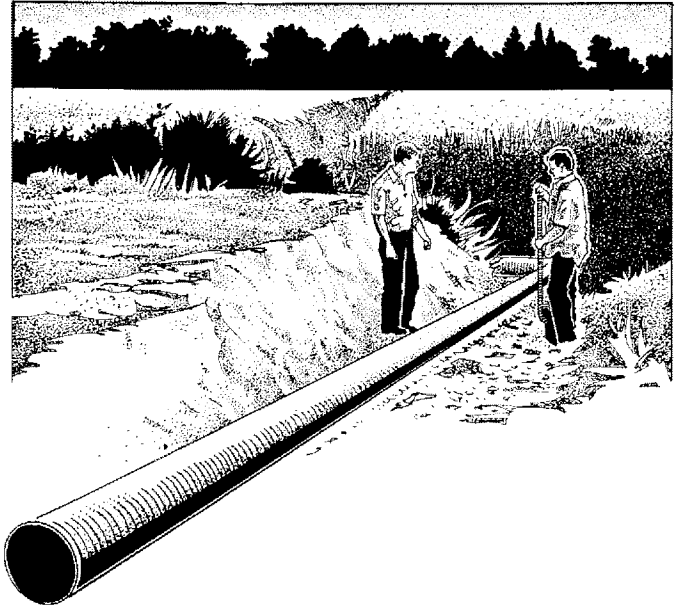


## ***DNR'S OPTIONS*** continued from page 2...

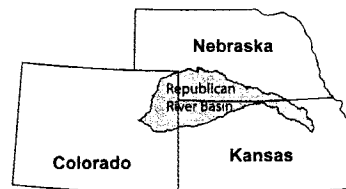
During the past 67 years, NRDs and individual producers complied with all state laws and local rules and regulations. The responsibility and duty is on the state to fund compliance measures. Unfortunately, the state has decided to turn its back on the RRB and allow the burden of compliance to fall only on RRB NRDs, producers and residents. This is so wrong.

Finally, the Lower, Middle, and Upper Republican River NRDs have done enough heavy lifting in this matter. Frankly, there is no more they can possibly do to satisfy the state DNR's demands without imposing a death sentence on their communities' economies. The elected members of the NRD boards owe their constituencies the duty of protecting their tax bases and hence, their economic viability. If the DNR wants more out of their hide, the NRDs should unite and as one say to the governor, ***"we won't be the ones who cut our own throats."***

They should hold the state accountable for the calamity that is sure to happen if any of the state's options are forced upon the NRDs.



**Republican River Basin Location**



## **THE INTERRELATED WATER REVIEW BOARD**

If the DNR and NRDs cannot agree on how to go forward with updated IMPs that incorporate one of the DNR's options, what happens next? An entity called the Interrelated Water Review Board (IWRB) is appointed and will essentially sit as judge and jury in the dispute resolution process. There are five members of the IWRB. How are these members selected?

The governor, or his designee (such designee must be "knowledgeable" concerning surface and groundwater issues), shall chair the IWRB. The governor appoints one member of his choosing and three other members from a list of no fewer than six nominees provided by the Nebraska Natural Resources Commission. Not more than two members shall reside in the area involved in the dispute.

The dispute resolution process is essentially a trial with both sides (DNR vs NRD) arguing in defense of their respective IMPs before the IWRB. From start to finish, beginning when the governor is first notified of the dispute and the matter is submitted to the IWRB, the process could take up to five months before the IWRB issues its order, which then could go into a mod-

ification process.

Let us not forget that the situation in the RRB is a state responsibility no different from the low-level radioactive waste dump controversy up in Boyd County back in the 1990s that likewise involved a multi-state compact entered into by Nebraska that blew up in our faces. Ultimately, Nebraska was sued in federal court for non-compliance, and lost, but somehow magically found 150 million dollars to pay the judgment. The state did not just target Boyd County residents to pony up the 150 million dollars. Rather, all Nebraska taxpayers, from Omaha to Scottsbluff, chipped in to bail the state out. Again, with the current RRB issue, only RRB NRDs, producers and residents are being singled out to bail the state out of an interstate compact that bit us in the rear end.

