



## The Creation of Nebraska's Natural Resources Districts

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Article Summary: Nebraska's natural resources used to be governed by a multitude of single-purpose, local districts that lacked sufficient size, authority, and funding to be effective. In 1972 the state created a unique system that consolidated authority in two dozen districts governed by locally-elected boards. The districts were granted taxing authority and broad powers over natural resources. An oral history project reveals how Nebraska took this bold step.

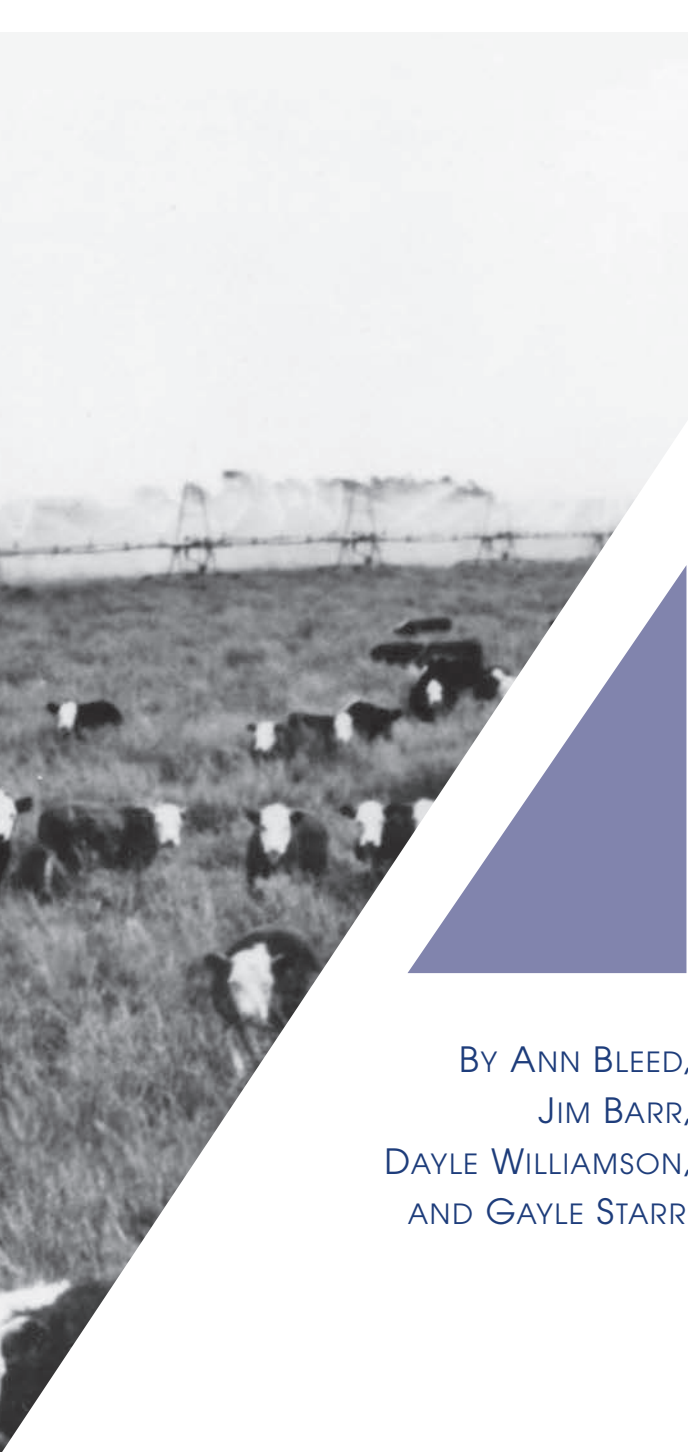
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Photographs / Images: Valley Center Pivot Irrigation System; Hazel Jenkins receiving an award from Dayle Williamson of the Nebraska Natural Resources Commission; Jenkins; a near-unanimous show of hands in favor of organizing a soil conservation district for Clay County, 1947; Norbert T. Tiemann; Maurice A. Kremer; demonstration of soil conservation by the Goehner Grange, Seward County, c. 1953; Jules Burbach; flooding along Antelope Creek, Lincoln, 1950s; North Platte NRD (Scottsbluff) planting trees as windbreaks; water technician measuring groundwater levels in an observation well; staff member of the Upper Niobrera White NRD (Chadron) and an extension agent instructing landowners how to measure groundwater levels in monitoring wells





# THE CREATION OF NEBRASKA'S NATURAL RESOURCES DISTRICTS

BY ANN BLEED,  
JIM BARR,  
DAYLE WILLIAMSON,  
AND GAYLE STARR

**Y**ou probably already know that Nebraska is the only state in the U.S. that has a nonpartisan, unicameral legislature, and is the only state where all electrical companies are publically owned. Nebraska is also noted for having more irrigated crop and pasture land than any other state in the U.S. The state had more than 8.2 million acres in 2012, and in 2014, Nebraska had more irrigated land than all but a dozen countries in the world. In fact, Nebraska's farms and ranches utilize 45.3 million acres—92 percent of the state's total land area. But, did you know that Nebraska's natural resources districts (NRDs), which govern most of Nebraska's natural resources, particularly groundwater, are also unique? How did this concept evolve? What were the conditions that allowed it to be implemented? And, who were the people who had the insight, courage, and leadership to get Nebraska to adopt such a unique experiment in resource governance? <sup>1</sup>

The story of the establishment of the NRDs is a study of how strong, courageous, and cooperative leadership resulted in a major change in the way Nebraska is governed. It also provides an example of the kinds of actions Nebraska will have to emulate in the future if we are to meet the challenges of increased demands for water and of climate change. Here is that story, as told through the words of people, including three of the authors, who were key participants in the creation of the NRDs. Most of the quotations are from the interviews from the NRD Oral History Project.<sup>2</sup> The story also relies heavily on an unpublished article by Hazel Jenkins, who was intimately involved with the formation and early implementation of the NRD governance system.<sup>3</sup>

Valley Center Pivot Irrigation System, manufactured by Valmont Industries, Valley, Nebraska, undated. Inventor Frank Zybach, a Colorado farmer who grew up in Columbus, Nebraska, patented the first center pivot system in 1952. The technology transformed Great Plains agriculture, but the growth of irrigation also intensified groundwater management issues. NSHS RG3358-128



Hazel Jenkins receives an award from Dayle Williamson, director of the Nebraska Natural Resources Commission. Jenkins was the secretary for Nebraska's first Soil Conservation Commission, and was intimately involved with the formation and early implementation of the NRDs. Her unpublished history is an important source for this article. Nebraska Department of Natural Resources collection



**Hazel Jenkins**  
Courtesy of Kathy Streka



In 1895 the state of Nebraska created a state agency, now called the Department of Natural Resources, and gave it the authority to regulate the use of the state's surface water. From the earliest days of statehood, however, the Legislature responded to citizens' requests for help with managing other natural resources problems by giving authority for management and regulation to locally-controlled, special-purpose districts. By 1967 there were approximately five hundred special-purpose districts in the state, with as many as one hundred in one county. The types of local resource organizations included: Soil and Water Conservation Districts, Irrigation Districts, Public Power and Irrigation Districts, Reclamation Districts, Watershed Districts, Watershed Conservancy Districts, Watershed Planning Boards, Watershed Improvement Boards, Sanitary Drainage Districts, Drainage Districts, Mosquito Control Districts, Ground Water Conservation Districts, and Rural Water Supply Districts. Some of them were effective, but many were too small to encompass the problem they were trying to address, and they often lacked sufficient financing and expertise.

There was also considerable overlap of district boundaries. On the other hand, there were also issues, such as the conjunctive management of surface water and groundwater, where no entity had management responsibility. As a result, in the 1960s, Nebraskans frequently discussed the subject of reorganizing and restructuring these local units of government.<sup>4</sup>

As a result of these conversations, the state of Nebraska ultimately consolidated this multitude of single-purpose, locally-controlled districts into a more comprehensive, holistic, and efficient natural resources governance system. While consolidation and efficiency were important, so was the concept of maintaining local control.<sup>5</sup> Thus, except for the regulation of surface water, which continued to be the responsibility of the state, Nebraska rejected the governance framework of a single, top-down state agency. Rather, in 1972, authority for the governance of the state's natural resources was given to twenty-four (now twenty-three) natural resources districts (NRDs) each governed by a locally-elected board. The NRDs were given broad authorities over many of the state's natural

resources, including (1) erosion prevention and control, (2) prevention of damages from flood water and sediment, (3) flood prevention and control, (4) soil conservation, (5) water supply for any beneficial uses, (6) development, management, utilization, and conservation of groundwater and surface water, (7) pollution control, (8) solid waste disposal and sanitary drainage, (9) drainage improvement and channel rectification, (10) development and management of fish and wildlife habitat, (11) development and management of recreational and park facilities, and (12) forestry and range management. The district boundaries were drawn to correspond to surface watershed boundaries. Importantly, the NRDs were also given taxing authority. Although a primary focus of NRDs today is the regulation of groundwater, not until 1975 were the NRDs given authority for the governance of the use of groundwater. Moreover, it was not until 2004 that the NRDs and the State Department of Natural Resources were given authority to jointly regulate the conjunctive use of hydrologically-connected surface water and groundwater.<sup>6</sup>

In 1975, just three years after the NRDs began governing, Hazel Jenkins wrote: "It was the hope and dream of many individuals and groups that someday Nebraska would have a functional vehicle at the local level with not only the authority, but also the ability, to achieve the coordination and comprehensive management of the state's land and water resources. This dream has now become a reality. . . . The Natural Resources District Concept."<sup>7</sup> The dream was big, experimental, risky, and controversial. No other state in the U.S. had delegated so much authority over a state's natural resources to locally-controlled governing boards.

### The Evolution of the NRD Concept

**Warren Fairchild:**<sup>8</sup> "The NRD program evolved through many periods of legislative and other actions. It originally goes back to 1937 . . . [when] the enabling legislation for Soil Conservation Districts [was passed]. They were seen as the vehicle whereby the Soil Conservation Service [established in 1935] could give technical assistance to farmers. . . . The farmers in each county, . . . or a combination of counties, had to organize their soil conservation districts. . . . Now, over a period of time, there was an evolution through the National Association of Conservation Districts and others that that law was not adequate really to make it possible for local districts to fully assume their leadership role. . . . That was. . . what

was leading to the evolution of thinking on the part of the Soil Conservation District supervisors in Nebraska. 'Hey, we don't have the authority, we don't have the wherewithal to do what really we should be doing.' . . . Basically what they were doing at that time was carrying out a local program that sort of endorsed what the Soil Conservation Service was able to provide for them. So, many people looked upon this as sort of being a passive group, that really their substance was not all that important. . . . That was what led to the NRDs.<sup>9</sup>

"At that time, the primary movers behind the organization of the [Soil Conservation] districts were University [of Nebraska] officials, and Dr. George Condra from the Conservation and Survey Division was really the grand old master that worked on the legislation and also pushed for the organization of districts. In the 1950s, there was some of the soil conservation figures that, certainly not in any way showing disrespect to the University, but felt that, if they were ever going to have some strength of their own, that they had to have basically their own leadership and their own body for their own association. . . . In my view, that was quite important because it got the local supervisors themselves really being freer to carry out some legislative and budgetary processes with the Legislature.<sup>10</sup>

"In 1955 they were successful in getting money through the Legislature for hiring the first Executive Secretary [Jim McDougal] . . . of the State Soil Conservation Commission [hereafter the "Commission"]. He hired Hazel Jenkins as his secretary. . . . [After about three years] the state associations were beginning to feel that 'we've got to have some state financial assistance to districts.' The districts did not have power of taxation; they didn't have any source of revenue. So, they started to make overtures for some funding from the State Legislature. It's about that time that. . . . I came to work [for the association].<sup>11</sup>

"One of the first things that happened that year in 1957 was that Senator Don Thompson from McCook came up one morning and the Legislature was in session. He says, 'I think maybe I can get through the Legislature on the floor some funding for soil conservation districts.' He was successful. At that time, I think the first allocation to the state committee was about \$27,000 for a biennium. It wasn't much.<sup>12</sup>

"Well, through the years, other things happened. We got laws changed so that the counties were authorized. . . . to allocate some county funds to soil conservation districts. . . . Also, some of us



A near-unanimous show of hands in favor of organizing a soil conservation district for Clay County, February 27, 1947, at the courthouse in Clay Center. Legislation enabling such districts passed in 1937, but did not provide them with a source of revenue. NSHS RG2570-18-49



looked at the soil conservation enabling law, and there where it talked about soil, it also talked about water. So we said, 'Well, why don't we just call them soil and water conservation districts?' And so, that was when the soil and water conservation districts come into view . . . And the soil and water conservation committee eventually became the commission.<sup>13</sup>

"[In the 1950s and 1960s] it was becoming more and more obvious to everybody concerned that, if we were already going to move forward aggressively in a broad program of soil and water conservation and water management, that the institutional arrangements we had just weren't fitting the bill. . . . I think, at the time, we had about 500 special purposes districts, and it was obvious that, if we didn't do something, certainly soon, we'd have 1,000, maybe 1,500 special purpose districts that we referred to as 'districtitis.'<sup>14</sup>

**Jim Nelson:**<sup>15</sup> "I hadn't been on the Soil and Water Conservation District board that long, but I had been on long enough to realize that county lines were a real big barrier. . . . When I flew over the county line, I could easily see the difference between the people we had in Howard County and the people in the neighboring county."<sup>16</sup>

**Jim Barr:** "It was an elected board, but they went out and solicited people to volunteer. And usually no more than one person for a sub-district, and then they were elected. And I don't know, there's—I've heard comments that a great deal of them were pretty much social. So, they essentially had to go to the county board to get their funding. They had no direct way of getting funding other than what the county board decided they would provide. And particularly in the southeast part of the state, some of those [meetings] were fairly contentious. . . . I remember going on what we used to euphemistically call meetings where you left your car running.

"If you did a project that spilled over into a second county, then you would've had to have an inter-local agreement, and you would've had to have gotten both counties' approval and money from both counties, . . . [and sometimes] you had six or seven different sub-basins, . . . many of them [extending into other counties], so they couldn't really do a basin-wide plan or projects that would deal with the full basin. But a lot of them did get things done, they got pretty good funding, and they did quite a bunch of stuff."<sup>17</sup>

**David Landis:**<sup>18</sup> “We had fragmented elements of a larger reality. We were doing soil erosion control in the Soil and Water Conservation District. We were doing farm ponds. The Salt Valley Watershed was doing water retention and flood control. Well, flood control, soil erosions, water quality bear an interrelated environmental reality. So, not only did we have fragmented geographical boundaries, we had fragmented disciplines, if you will, in the regulation. The whole point of the NRD was to reflect environmental reality instead of political reality.”<sup>19</sup>

**Clayton Yeutter:**<sup>20</sup> “My doctoral dissertation focused on Nebraska, Kansas, Iowa, and Colorado. And every one of those states had this problem of duplicative, overlapping regulatory entities (not just in water, but in a whole host of areas). It was getting worse by the day, so the Midwest and Western states all needed to confront this issue. There was then so much controversy, and so much ambiguity in water law, so much regulatory overlap, so much inept administration. The list of shortcomings just went on and on, not just in Nebraska, but everywhere. . . . So this was an opportunity to say: ‘There has to be a better way to do this. Let’s figure it out.’ Water does not flow down county lines! The problem was that we, and many other states, were making regulatory resource decisions (even water allocations) on a county-by-county basis or state-by-state basis. . . . That led, of course, to the ultimate conclusion that within the U.S. we ought to be regulating water on a watershed basis. That’s the way water flows!”<sup>21</sup>

**Doug Bereuter:**<sup>22</sup> “About this time, I learned that there was an effort underway, led by Warren Fairchild, to create the natural resource districts. And Governor Tiemann soon told me that Warren was concerned that the [my] building block theory, or the lines that related to them, would get in the way of his initiative, which he hoped to pass in the legislature. So, I met and, I believe, with Jim Barr, with Warren Fairchild [and Gayle Starr] . . . on one or more occasions and, . . . I assured Warren that I thought the natural resource districts should, by and large, be based upon hydrologic regions or water basins, river basins. . . . So, I think Warren was greatly relieved.”<sup>23</sup>

**Fairchild:** “So, [based on] our concerns about the fact that we are getting a proliferation of many special purpose districts and we didn’t have the authority in any of these to take on a broad base land and water program . . . [the concept of the] natural resources districts evolved.”<sup>24</sup>

## The Debate

From 1966 to 1967 much of the groundwork which led up to the reorganization was laid. In 1966 the Nebraska Association of Soil and Water Conservation Districts (NASWCD), after considerable debate, passed Resolution #18 calling for a study to reorganize Nebraska’s resources districts along hydrologic units, rather than counties, and to give the districts the tools they needed to be effective. During this period, there was also a lot of correspondence between the Commission and the federal, state, and local officials, and many, many meetings throughout the state. At the State NASWCD conference in 1967 Governor Norbert Tiemann came out in favor of the reorganization.<sup>25</sup>

The 1968 NASWCD meeting was one of the most historic ever held dealing with resource development. After a fiery business session, a resolution was passed calling for legislation to be enacted to reorganize and consolidate the soil and water conservation districts, watershed conservancy districts, watershed planning boards, and watershed districts along hydrologic lines, and encourage other special purpose soil and water resource districts to join such a reorganizations. It was obvious then that there was bitter opposition.<sup>26</sup>

**Fairchild:** “A gentleman from Washington, D.C., by the name of Phil Glick, he was the attorney that wrote the original soil conservation district enabling law, the pilot law, you know, that was used throughout the United States; he had been invited to come to the conference. I’m not saying that he necessarily was the thing that did it, but just before the vote, Phil gave the luncheon address, and he indicated what he thought it was going to take in the future if the local people were going to continue to assume and really have control over their various conservation programs. I’d have to say that, probably, that presentation, along with many local leaders, was what led to the state association adopting the NRD concept at that convention. All of this led up, then, of course, to the legislation.”<sup>27</sup>

On April 1, 1969, Senators Maurice A. Kremer of Aurora, C. F. Moulton of Omaha, George Syas of Omaha, and Herb Nore of Genoa introduced LB 1357 in the 81<sup>st</sup> Legislature. The reorganization bill remained with the Legislature late into the session and senators looked forward to the September NASWCD annual conference as an indication of statewide support or opposition. At this conference several southeastern Nebraska Soil and Water Conservation Districts and watershed boards introduced a resolution calling for opposition



**Norbert T. Tiemann,**  
governor of Nebraska,  
1967-1971. NSHS RG2738-1



**Maurice A. Kremer of Aurora, state senator, 1963-1983. He earned the nickname “Mr. Water” for his support of groundwater laws and the NRD enabling legislation.**  
NSHS RG2141-1306



to the compulsory reorganization of 154 special purpose districts. The resolution was defeated. Two days later the Nebraska Legislature, by a vote of 29-9 and 11 not voting, passed the law authorizing the creation of the NRDs. LB 1357 did not call for the NRDs to commence operation until 1972 however, to allow the Legislature to reassess and amend the legislation, and allow the Commission to determine the appropriate number of districts and what their boundaries should be. At this point the law specified there were to be between twenty-five and fifty districts.<sup>28</sup>

**Fairchild:** "There really was considerable controversy. . . . In that session of the Legislature, no bill was better known than LB1357. Much of the opposition came from state and federal agencies. . . . The Soil Conservation Service had the soil conservation districts. The Bureau of Reclamation had the reclamation districts. The Corps of Engineers had the drainage districts. The Conservation and Survey Division, they had the groundwater districts, and you can keep going. The Farmers Home Administration, they had the water supply districts. The assistant A.D. of the Farmers Home Administration, he called up and he says, 'Warren, we don't want to be included in that NRD legislation. We like just what we got.' I was a little more brash in those days than I think I am today and I said . . . 'Well, Joe [Haggerty], That's tough.

Your program's going to be in it. That's all there is to it.' Well, I think it's probably the best thing that ever happened to the rural water supply program, because they really didn't have much of a program before."<sup>29</sup>

Shortly after passage of LB 1357, a task force consisting of federal, state, and local representatives was assembled to work out district boundaries. In 1969 and 1970, there were a number of all-day meetings across the state, and lots of debate. Many local problems surfaced. In early 1970 the task force presented its recommendation to the Commission, but it was obvious there were still problems. The Commission requested further comments. Finally on April 30, the Commission adopted a set of boundaries for thirty-three NRDs.<sup>30</sup> However, even more hearings were held on the number of NRDs, and the location of the boundaries for the districts. Intensive opposition continued.

**Lee Orton:**<sup>31</sup> "Much of the opposition we had to the NRDs and to the boundaries and to everything else we were doing back then, came from people who just wanted the status quo. . . . The infamous Gold Dust Twins, obviously, always come back to my mind, Erv Matulka and Charlie Gove. And those two guys were tenacious in their activity to try to stop this process. And they befriended an important politician as well, Jim Exon, who once

Demonstration of soil conservation by the Goehner Grange, Goehner, Seward County, 1952 or 1954. Growing interest in soil conservation led to the formation of soil conservation districts, which eventually became part of the Natural Resource Districts system.  
NSHS RG2536-3-1





upon a time opposed the NRDs. . . . In his later years, he claimed to be a champion of the NRDs, even though he was an early opponent to the process.”<sup>32</sup>

A group called the Nebraskans for Nebraska Soil and Water Inc. was organized. Most, but not all, of the support for this group was from southeast Nebraska. One of their basic concerns was that the NRDs would take over the local groundwater conservancy districts.<sup>33</sup>

**Barr:** “Let me go back. [The years from] 1955-1957 was an awful dry period. And an awful lot of wells went in at that point, particularly in the York, Aurora area. I remember that was ’55, the first year I farmed. And in ’56 in July about this time, we got our first well. And we used the big ditch-makers . . . and put dams in, and we used tubes. And at that time, they went in pretty fast. And in ’57, my brother and I spent most of the irrigating season on the porch waiting for the electric irrigation motor to kick off, because every time it kicked off, we had to go out and reset all the tubes. One day, I think I counted twenty times that that had happened.”<sup>34</sup>

**Yeutter:** “We sensed then that groundwater was going to be a major issue in the future . . . people can readily see that surface water does not flow down county lines. But people cannot see where groundwater is flowing, or where it is stored.”<sup>35</sup>

**Barr:** “But, they made a conscious decision not to include groundwater [then], . . . which I think, in retrospect, was a big mistake. . . . I don’t know exactly why, I think it was just too controversial.”<sup>36</sup>

In addition, the existing Soil and Water Conservation Districts were organized along county boundaries, and they wanted to maintain the existing boundaries, rather than creating larger districts that crossed county boundaries. They also feared with larger districts, rural districts would be combined with urban districts, and the focus on rural issues would be lost.<sup>37</sup> In an editorial the *Lincoln Journal* stated, “Farmers quite frankly fear losing influence in large, seven or eight-county areas proposed for districts. They fear a rural urban blend where the subjects of wildlife, fishing, recreation, pollution and sanitary land-fill will compete for time that they feel should be spent in boosting irrigation. They think there is too much temptation for environment-conscious members of the new districts to forget agriculture.” In Seward County a vote of eighty-five irrigators showed seventy-three favoring the groundwater conservancy district, ten favoring the NRDs, and two “who never made up their minds.”<sup>38</sup>

Taxation was also an issue. Glenn Kreuscher, the farm editor for the *Lincoln Star*, after quoting a Fremont attorney who stated that LB 1357 was a “33-headed bureaucratic boondoggler,” stated that the bill should not be supported because it would create an estimated fifty new taxing units with authority to tell land owners how to operate or make use of the land, and a state commission [the Natural Resources Commission] not directly answerable to the public. Kreuscher also stated the bill would require taxpayers to pick up the check, but they would have very little control over the expenditures.<sup>39</sup> In his campaign for governor against State Senator Jules Burbach, J. J. Exon said he had found “violent” public reaction against the bill’s two-mill levy authority.<sup>40</sup> He also said that the NRD bill, “which without the help of Senator Burbach never would have been, passed,” should be repealed because it would authorize a two-mill property tax “on every piece of real estate in the state at a time when Nebraskans are creaking under a tax load.”<sup>41</sup>

In August the Legislative Council Interim Study Committee on Water and Land Resources also commenced a series of thirty-three hearings across the state to further examine public opinion about the NRDs. As a result a number of bills to amend LB 1357 were recommended to the 1971 Legislative session. These bills dealt with a multitude of interests, and the number of NRDs and location of the NRD boundaries were still significant issues. One bill would have abolished the boundaries recommended by the Commission and established twenty entirely different districts. This bill did not pass. Rather, the Legislature again asked the Commission to establish districts based on hydrologic boundaries. Finally, on September 14, 1971, the Commission took action to approve the proposal establishing twenty-four NRDs.<sup>42</sup>

**Fairchild:** “Once the bill was enacted, there was certainly a lot of input and involvement on the part of locals on the boundaries of the districts. I would say that was not a real problem to overcome. You look at the maps. We basically came up with—we didn’t follow exactly the hydrologic boundaries. We’d use legal descriptions so it’s possible to file for taxation purposes, for voting, and things like that. . . . Basically, they are on [surface water] hydrologic [boundaries] in the eastern and southern part of the state. But you get . . . into the Tri-County area and some of those areas, we basically did it there on the basis of groundwater and, very frankly, the Tri-County project.”<sup>43</sup>



**Jules Burbach of Crofton,**  
state senator, 1957-1976.  
RG2141-330

**Jim Cook:**<sup>44</sup> “There were still some politics involved. One of those was what was called—what became known as Tri-Basin NRD, and the politics were concerning the political significance of the Central Nebraska Public Power and Irrigation District, otherwise known as Tri-County, which had a lot of clout in the Nebraska Legislature at that time. Tri-County wanted to have a natural resource district that coincided on a boundary basis with their boundaries, which were Gosper, Phelps, Kearney, and Adams Counties. And that did not correspond to hydrologic lines. Actually, that would take chunks out of three different basins. So, the staff wasn’t terribly excited about that, but that’s what got adopted anyway.”<sup>45</sup>

However, because of the volume of legislation and the controversial nature of a number of these bills, the Legislature did not take action on most of the amendments, and, to give itself one more chance to amend LB 1357, the Legislature moved the implementation date for the NRDs from January 1, 1972, until July 1, 1972. The 1972 Legislature debated a number of final amendments that fine-tuned the bill, but didn’t actually get all the language finalized until 1973.<sup>46</sup>

**Yeutter:** “We could never have done all this without exceptional legislative leadership on the part of Maurice Kremer. . . . The senator was a circumspect, cautious, conservative individual who simply did not move a legislative proposal forward unless he was comfortable that he had a first-rate work product to sell to his fellow legislators. That meant the public groundwork had to have been laid for that bill to become law. Hence, on water, great credit goes to everybody who worked so hard in seminars and symposia around the state, in writing papers and op-eds, and just doing whatever was necessary in laying the groundwork for a legislative package on water law and its regulatory administration.”<sup>47</sup>

**Fairchild:** “There was great pressure put on people like Senator Kremer. ‘Oh, Maurice, you’re doing wrong—gotta pull up—pull out.’ He’d come up to the office and he said, ‘Warren, the pressure’s getting too great. I’m going to take the bill out.’ I said, ‘Oh, Maurice, don’t do it.’ . . . He said, ‘I don’t know whether I can take it.’ He was really sold on it. He said, ‘I don’t know whether I can take it.’ . . . Then, he’d go back down.”<sup>48</sup>

**Dayle Williamson:** “Senator Kremer—what a great person he was. People would beat on him really hard, since he was the lead person, and I recall him coming to our office on more than one occasion and saying, ‘I think we just need to give

up.’ And . . . [Senator] Jules Burbach would hear that the senator [Kremer] would be at our office thinking about quitting and then Jules would be right up there and say, ‘Oh, we can’t quit now.’ And then, he’d go find Senator Kremer.”<sup>49</sup>

**Senator Loran Schmit:**<sup>50</sup> “The issue was really debated extensively. Nineteen sixty-nine was the last biennial session. Lasted 165 days. So, there was no sense of urgency. We’d drag that legislation out and discuss it, and thrash it around, and then we’d pass over it and come back to it. And if you wanted to describe Senator Kremer in one word, you’d have to call him tenacious. He had his idea and he stuck with it. I told Senator Kremer, I said, ‘You know, Senator, I’m concerned that if you create this NRD, that it will not be for soil and water conservation. It will become twenty-four miniature Games and Parks groups.’ [Senator Kremer replied] ‘There’s going to be a lot of pressure from the urban areas for recreational opportunities. . . . If those urban areas want to do that, then that ought to be the function of the property tax system in that NRD.’ And he said, ‘We’ve given the NRDs more authority and responsibility and they’ll have more, as things go along.’ He predicted the water shortage. He said, ‘There’s going to be competition for water one of these days.’ And he said—at that time, it was kind of interesting, because there wasn’t much conversation at that time about endangered species and minimum flows and that sort of thing—but he predicted that there would be a time [when those would be issues].”<sup>51</sup>

### The Constitutional Challenge

Further complicating the implementation of the NRD law was the filing of a lawsuit challenging its constitutionality. On June 6, 1972, only twenty-five days before the NRDs were to be established, the Richardson County Soil and Water Conservation Districts and two area landowners filed suit in the Lancaster County District Court. Only three days later, on June 29, 1972, Judge William Hastings denied a request to grant an injunction against creating the NRDs, although he did temporarily enjoin the NRDs from transferring or liquidating property from the 154 districts that had to merge with them. This injunction required that a separate set of ledgers had to be kept for both the NRD and the special purpose districts. In July 1973, the District Court issued a final order stating that the NRD law was for the most part constitutional. This decision was appealed to the State Supreme Court, but finally on April 18, 1974, the Supreme Court upheld the constitutionality of the NRD system.<sup>52</sup>

### Implementing the Law

Prior to the July 1, 1972, implementation of the NRD law, the Commission was required to convene each of the interim boards, which had been formed in all but the Nemaha NRD in southeast Nebraska. Those meetings were held during June and were to include all of the board members of the merged districts, plus some members appointed by municipalities in accordance with the law. The purpose was to work out some of the details of establishing the new NRDs and to organize an interim board to run things until the first elected board would take office in 1974. A number of critical decisions had to be made including where to locate the NRD office, the number of directors to have on the NRD board, what on-going functions would be merged into the NRD, and what assets and liabilities had to be transferred.<sup>53</sup>

As Gayle Starr recalls, most of those meetings went well as the directors in many districts had previously met to work out many of the details in advance. In one case, however, a large number of districts were to be merged, and the meeting was quite contentious. When Starr and his companions arrived at the meeting place, it was empty. At the last minute before the meeting was to start, well over one hundred directors arrived at the same time. It was immediately obvious that they had held a prior meeting at a local business that sold adult beverages. The meeting was brief and quite controversial, not much was accomplished, and there were numerous mentions of the pending lawsuit and of their intention not to merge.

**Orton:** "Of course, we were consolidating hundreds of directors down to a pretty small number to begin with, so you had to find a way to accommodate. And I guess maybe that was also a step in the direction of trying to be certain that there wasn't that pervasive feeling of a loss of local control, so that there were people from all over the area, obviously, that were on those boards of directors. I'm not sure that I ever agreed that twenty-one was a good number. But that was what it took to politically make the system work, obviously."<sup>54</sup>

**Arden Bredemeier:**<sup>55</sup> "We [Our Soil and Water Conservation Board] wanted to try to keep our small watershed program, because we had local control and local interest and local involvement there. . . . But we ended up on the [NRD board, which] allowed that sort of thing . . . [allowed us] to be included, you know, and small watersheds and soil conservation boards dissolved, actually."<sup>56</sup>



**Orton:** "So, the program went into effect, but in order to make sure we could unwind it if we needed to, the court kept all of the accounts separate for a period of time until the appeal was over. So, all of these districts which were trying to operate new—with new directors and so forth, all consolidated and merged, had to also then keep all that money segregated for a period of time, so that if they did find out at the Supreme Court level that the program was unconstitutional or illegal in some way and they had to put the Soil and Water Conservation Districts and the watersheds all back in place again, their money would be intact. Now, interestingly enough, we had a few districts out there who thought they were going to try to beat the gatekeeper, I guess, and so they secreted all that money and transferred it to other places so it wouldn't go into the NRDs."<sup>57</sup>

In 1974 each NRD submitted to the secretary of state the number of directors that were to be on their board and the boundaries of the sub-districts from which they would be elected. In the November 1974 election, 561 candidates ran for election for 370 board positions, reducing the number of directors of the NRDs from 1,058 to 370.<sup>58</sup>

### In Retrospect

There have been several major changes in authorities since the creation of the NRDs, particularly in relation to the management and regulation of groundwater. As noted above, the original law creating the NRDs did not give them the authority to regulate groundwater. However, the 1970s were dry years, groundwater pumping

**Flooding along Antelope Creek, Lincoln, 1950s.**  
Lower Plate South Natural Resources District



**Left: The North Platte NRD (Scottsbluff) plants trees as windbreaks near Chimney Rock.** North Platte Natural Resources District.



**Right: A water technician measures groundwater levels in an observation well in the Upper Big Blue NRD (York).** Upper Big Blue Natural Resources District.



increased dramatically, and the need to provide authority to regulate groundwater use was apparent. Many other western states had already enacted laws giving their states the authority to regulate groundwater. However, Nebraska did not enact laws to restrict groundwater pumping until 1975. In keeping with Nebraska's focus on local control, the legislature gave authority for groundwater regulation to the NRDs, not to the State Department of Water Resources. Thus, a split jurisdiction over the state's water resources was established: the state was in charge of regulating surface water and the NRDs were in charge of regulating groundwater.

In many areas of the state, however, surface water and groundwater are interconnected, and as increased groundwater pumping started to deplete surface water flows, surface water irrigators started to push for laws that would integrate the regulation of surface water and groundwater. Complaints increased in the 1990s, but not until 2004 did the Legislature finally pass a law to integrate the management and regulation of hydrologically-connected surface water and groundwater.<sup>59</sup>

This law requires NRDs where demand on hydrologically-connected surface water and groundwater exceeds supply to develop an integrated management plan to address the conjunctive management and regulation of both in cooperation with the State Department of Natural Resources. By law these integrated management plans must include a goal of "sustaining a balance between water uses and water supplies so that the economic viability, social and environmental health, safety, and welfare of the river basin . . . can be achieved and maintained for both the near term and the long term."<sup>60</sup>

These plans must also include groundwater and surface water controls, and/or other management plans to protect all existing groundwater users and

surface water appropriators from having their water supplies depleted by new water uses. Although not required by law, other NRDs have also been voluntarily working with the State Department of Natural Resources to develop integrated management. Currently, all twenty-three districts have either implemented a required or a voluntary integrated management plan or are in the process of working on an integrated management plan.<sup>61</sup>

Where declines in groundwater levels or water quality problems have arisen, the NRDs have also developed water management criteria which, if exceeded, trigger the implementation of regulations to address the problem. These regulations can include a number of management requirements, including required reductions on the use of groundwater or in the use of chemical applications to the land. In fact, although NRDs are still involved in exercising the wide variety of the NRD law's original authorities, such as flood control and soil conservation, in most of the state, management and regulation of groundwater quantity and quality has become the major focus of the NRDs.<sup>62</sup>

Moreover, NRD boards have monthly public meetings, actions are implemented by locally-elected board members and local NRD staff, and the local citizens can be involved with the NRD to assist in revising the rules and plans to protect water resources on a river basin basis.<sup>63</sup> As Dean Edson, executive director of the Nebraska Association of Resources Districts stated, "Back in the pre-NRD era, many individuals argued [the NRDs] . . . would never work because it took too much power away for the local citizens. . . . However, it has probably done just the opposite."<sup>64</sup>

In 1970 the *McCook Daily Gazette*, talking about the NRDs, noted, "Nebraska is the only state in the union to come up with such a plan and other states are overseeing its progress to see if they want

to follow.”<sup>65</sup> Even now, forty years after the NRD governance system was implemented, other states still look at Nebraska’s system with envy. Yet to this day, no other state has created districts like the NRDs; districts under the local control of people within each surface watershed of the state; districts that have the ability to manage a large number of resources in an integrated, holistic basis tailored to the different conditions found in each river basin. Why is Nebraska still the only state to have such a natural resource governance system?

**Bereuter:** “[The NRDs] are really unique political subdivisions in the whole United States. They have broad powers. They have taxing authority, which is crucial to implementation. . . . I know that there are other states—and other natural resource leaders, public and private sector leaders—that are envious of Nebraska’s ability to do a wide variety of things by means of our natural resource districts. I do think, in many cases, the political subdivisions that exist in natural resource areas around the country do not have strong implementation power. They end up being primarily planning units, but, oftentimes, they lack the ability to really implement the programs, because they don’t have the taxing authority, and they don’t have the democratic base, which we have by our natural resource district board members. . . . I [have] thought, from the smallest kind of projects on individual landowners’ property where they provide assistance, right up to significant water development projects for conservation, for recreation, and for flood control, that [the] NRD [system] was demonstrating the range of capabilities that NRDs really have. And I expect to see them do more significant projects like that. So, I think we’re just beginning to see the full range of the potential of natural resource districts across the state. And with water being so precious, they’re going to play a larger role, I think, in water conservation and regulation in some parts of the states to protect our resources.”<sup>66</sup>

**Fairchild:** “I would say that the program always intrigued other states. I think they felt, in a way, that maybe the people from Nebraska were a little bit brash going forward with this. . . . But the general feeling among the people I’ve visited with is that, oh, we’d like to do it, but we don’t think we can get it done. They don’t think they can get it done for several reasons. One reason is, I don’t think they feel they have the strength and leadership at this point in time to do this. The second thing is, they see a great difficulty in their legislatures and opposition from other vested interest groups. They

## The Authors

Ann Bleed served as the state hydrologist for the Nebraska Department of Water Resources from 1988 until 1999, and then served as deputy director and later director of the Nebraska Department of Natural Resources from 1999 to 2008.

Jim Barr, a farmer and stockman, worked for the Nebraska Game and Parks Commission from 1967 to 1969, the Nebraska Soil and Water Conservation Commission in 1971, and the State Office of Planning and Programming in 1970 and from 1972 to 1976. He later served as the field representative for Congressman Doug Bereuter, was the state director, Nebraska USDA-RD, and was also was the leader of the NRD Oral History Project.

Dayle Williamson became the third employee of the Soil Conservation Committee, a fledgling state agency, in 1958. For forty-two years, he was a key figure in this agency as it underwent many name changes, and gained many new responsibilities in protecting Nebraska’s land and water resources. Williamson became the agency director in 1970 and was responsible for implementing the natural resources district legislation and enabling the districts to become operational by July 1, 1972.

Gayle Starr worked for the Nebraska Soil and Water Conservation Commission in the 1960s and was actively involved in the activities that created and implemented the natural resources districts. He also had a variety of roles with the Nebraska Natural Resources Commission and Department of Natural Resources, until his retirement in 2006.

## Acknowledgments

This paper is a direct outgrowth of the work of a number of dedicated former and current stewards of Nebraska’s natural resources who interviewed and recorded the comments of over eighty individuals involved in the formation of Nebraska’s Natural Resources Districts. These interviews became part of the NRD Oral History Project, which is available online at <http://nrdstories.org>. This project was a collaboration between the Daugherty Water for Food Institute, the Nebraska Association of Natural Resources Districts, and the Nebraska State Historical Society. Thanks is also due to Dave Mazour, Kent Seacrest, and Ted Wehrbein, all of whom wrote excellent, but unpublished papers that provided a valuable background for understanding the events that led up to the formation of the NRDs.

A staff member of the Upper Niobrara White NRD (Chadron) and an extension agent instruct landowners how to measure groundwater levels in monitoring wells. Upper Niobrara White Natural Resources District



didn't have strong people at the local level and the state level and the legislature and the governor's office to really pull together a consensus to do that.

"I think you got to give full credit to a lot of leadership in the state. [There must also be a] . . . willingness to spend the effort to see that it's done. Others could say that, 'Oh, yes, we need the power of taxation. Oh, yes, we need more money. Oh, yes, we need this. We need that.' But then, they got to these meetings and they would have a nice meal and they would go home and nothing would happen. Well, that didn't happen in Nebraska. You have these leaders who would say, 'Wait a minute now. Some things have to happen here. We can't be satisfied with what we have because it just won't do it. It just won't cut the mustard.' We had some great governors, you know, Nobby [Norbert Tiemann] and Frank Morrison and people like that were so supportive of our programs."<sup>67</sup>

As Dayle Williamson recalls, although there was great controversy, Governor Tiemann also provided strong support for the Natural Resources District Act during the 1969 Legislative session. There was never a concern that the act wouldn't receive his signature, if passed. That was important as it would have been very difficult to override a veto. He was, as Lincoln journalist Dick Herman observed many years later, "the right man in the right place at spectacularly the right time."<sup>68</sup>

**Barr:** "[Governors] Bob Crosby [a Republican] and Frank Morrison [a Democrat] were always interested. You've no doubt heard their interplay with Frank asking Bob, 'Why did they name the Republican River the Republican, was it because it was so shallow or so crooked?' [And we had people with leadership and persistence]: Warren Fairchild was certainly one. Clayton Yeutter . . .

Jules Burbach and several of the legislators were strongly involved. The fact that Warren was at the commission and his staff."<sup>69</sup>


**Williamson:** "When Warren was leaving, Bob Bell [who] always thought about things deeply . . . said, 'Well, Warren could buzz up more wood than the rest of you guys could ever cut up.'"<sup>70</sup>

**Fairchild:** "I would say that the participation and cooperation of people in the Game Commission at that time was extremely close. At

that time, we were very short of water facilities, particularly here in the eastern part of the state. . . . They saw such organizations and activities as the Salt-Wahoo and the Papio [Watershed Districts] and the P.L. 566, as an instrument to get some water for water-based recreation. . . . Yes, the cooperation and involvement of the State Game Commission at that time was 100 percent."<sup>71</sup>

**Barr:** "And in fact, we might not have done it had we had a bicameral legislature. . . . With the unicameral, we can move things through one house. We are also non-partisan, at least on paper. There is an element of partisanship in it, but there's also an element of contrariness in it that allows people to not have to follow instructions from their party."<sup>72</sup>

**Orton:** "I don't think there was another state anywhere that had the guts enough to do what we did. But the fact that we have a unicameral legislature that isn't political in nature, as much as many of the other states. And the fact that we had a good strong leadership cadre in the Soil and Water Conservation Commission and a staff that worked for the state and so forth, made all the difference in the world. The other states just didn't have those little elements they needed to take the political choice they needed to have. Some of those other states have done some things in going in the direction of NRDs, giving districts some taxing capability and some other things that they need to carry out their job, but there's still just a whole plethora of small, special-purpose districts in most states. And I think they have to struggle getting things done in water resources because of that."<sup>73</sup>

**Yeutter:** "And nobody did it with the imagination and the vision that Nebraska demonstrated before we were through."<sup>74</sup> 



## NOTES

<sup>1</sup> Nebraska Department of Agriculture, Nebraska Agriculture Fact Card, 2016; Ann Bleed and Christina Hoffman Babbitt, *Nebraska's Natural Resources Districts: An Assessment of a Large-Scale Locally Controlled Water Governance Framework*, Policy Report 1 of the Robert B. Daugherty Water for Food Institute, 2015, 17-19; Dean E. Edson, "A Unique System of Resource Governance: Nebraska's Natural Resources Districts," presentation to the US Committee on Irrigation and Drainage Third International Conference, March 2005, San Diego, CA.

<sup>2</sup> The Natural Resources Districts (NRD) Oral History Project is a collaboration between the Daugherty Water for Food Institute, the Nebraska Association of Natural Resources Districts, the Nebraska State Historical Society, and several dedicated former and current stewards of Nebraska's natural resources. Since its inception in April 2013, the project has recorded and transcribed more than eighty, forty-five-minute oral histories spanning former and current staff and leadership of all twenty-three NRDs and key individuals that helped ensure their formation, <http://nrdstories.org/>.

<sup>3</sup> Hazel Jenkins, "A History of Nebraska's Natural Resources Districts," unpublished manuscript, 1975. Jenkins was the secretary and stenographer for the Nebraska Soil and Water Commission, and the Nebraska Natural Resources Commission. Perhaps more important, she also acted as an administrative assistant and more. She traveled extensively throughout Nebraska as she worked with more than eighty Soil and Water Conservation District offices and assisted the newly formed NRDs as they struggled to establish a functioning natural resources governance system.

<sup>4</sup> Alan G. Gless and Peter J. Longo, "An Overview of Nebraska Water Law," in *History of Nebraska Law*, ed. Alan G. Gless (Athens: Ohio University Press, 2008), 86-125; Nebraska Soil and Water Conservation Commission, *Modernization of Resource District Legislation*, State Water Plan Publication No. 2, 1969, 2-7; Jenkins, "History of Natural Resources Districts," 1.

<sup>5</sup> Jenkins, "History of Natural Resources Districts," 16; Edson, "A Unique System of Resource Governance."

<sup>6</sup> *Nebraska. Revised. Statutes* §2-3229; Jenkins, "History of Natural Resources Districts," 12. Bleed and Hoffman Babbitt, *Nebraska's Natural Resources Districts*, 31-33, provides a brief synopsis of the history of water legislation in Nebraska.

<sup>7</sup> Jenkins, "History of Natural Resources Districts," 20.

<sup>8</sup> Warren Fairchild was executive secretary, Soil and Water Conservation Commission, from 1957 to 1970, the assistant commissioner for the Federal Bureau of Reclamation from 1970 to 1976, and a consultant for the World Bank from 1976 to 1989.

<sup>9</sup> Warren Fairchild, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Fairchild.pdf>, 2; The Natural Resources Conservation Service, "80 Years of Helping People Help the Land: A Brief History of NRCS," 2016, [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/about/history/?cid=nrcs143\\_021392](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/about/history/?cid=nrcs143_021392). The Nebraska Association of Soil Conservation Districts was created in 1947. By the end of 1949 there were eighty-seven SCS districts, mostly coinciding with county lines, that

covered the entire state. Their primary role was to legitimize the federal and state soil conservation programs at the local level. They were not the independent institution of local government envisioned by the New Deal planners, however, and did little more than expand the land treatment programs of the Soil Conservation Service. In 1957 this committee was renamed as the Nebraska Association of Soil and Water Conservation Districts. *Laws of Nebraska*, 1959, chapter 6 (L.B. 271), 74-91.

<sup>10</sup> Fairchild, NRD Oral History Project, 2-3.

<sup>11</sup> *Ibid.*, 3-4. In 1951 the Legislature amended the 1937 soil conservation district legislation to establish the State of Nebraska Soil and Water Conservation Committee (*Laws of Nebraska*, 1951, Chapter 4, (L.B. 170), 72-77). In 1961 the name was changed to the Nebraska Soil and Water Conservation Commission (*Laws of Nebraska*, 1961, Chapter 4, (L.B. 343), 70). In 1973 this commission became the Natural Resources Commission; Jenkins, "History of Natural Resources Districts," 10.

<sup>12</sup> Fairchild, NRD Oral History Project, 4.

<sup>13</sup> *Ibid.*, 5.

<sup>14</sup> *Ibid.*, 9.

<sup>15</sup> Jim Nelson was on the Howard County Soil and Water Conservation District from 1968 to 1972 and served as a director of the Lower Loup NRD from 1972 to present.

<sup>16</sup> Jim Nelson, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Nelson.pdf>, 6-7.

<sup>17</sup> Jim Barr, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Barr.pdf>, 15-18.

<sup>18</sup> David Landis was a board member of the Lancaster County Soil and Water Conservation District when it was merged with other districts to become the Lower Platte South NRD. He also served on the Lower Platte South NRD after it was created. In 1978 he was elected as a state senator, serving in that role for twenty-eight years until the institution of term limits forced him to leave the Legislature. He again became an NRD board member, as well as the director of Urban Development for the city of Lincoln.

<sup>19</sup> David Landis, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Landis.pdf>, 4-5.

<sup>20</sup> Clayton Yeutter was professor, Agricultural Economics, at the University of Nebraska-Lincoln, in the 1960s. He served as chief of staff for Gov. Norbert Tiemann from 1967 to 1969. He was the secretary of agriculture for U.S. President George H.W. Bush from 1989 to 1991.

<sup>21</sup> Clayton Yeutter, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Yeutter.pdf>, 5-6, 9-10.

<sup>22</sup> Doug Bereuter was the director of the Nebraska Department of Economic Development, 1967-68, director of the State Office of Planning and Programming, 1968-70, a state legislator 1974-78, and a representative from Nebraska in the U. S. Congress, 1979-2004. He then served as president and CEO of the Asia Foundation.

<sup>23</sup> Doug Bereuter, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Bereuter.pdf>, 3-4. Bereuter was trying to bring some order to the way that state agency lines and their administrative regions were set up. He was advocating the reorganization should be based on establishing "building block" regions based on growth centers.

<sup>24</sup> Fairchild, NRD Oral History Project, 9.

<sup>25</sup> Norbert (Nobbie) Tiemann served as governor of Nebraska from 1967 to 1971. Tiemann is said to have been Nebraska's most significant governor of the modern era. In addition to the passage of legislation that created the NRDs, the development of a state sales-income tax system, state aid to schools, the University of Nebraska at Omaha, the state Department of Economic Development and collective bargaining for public employees, all occurred on his watch (Don Walton, *Lincoln Journal Star*, June 20, 2012, 2016, [journalstar.com/news/local/govt-and-politics/norbert-tiemann-remembered-as-dynamic-state-leader/article\\_85353521-69d6-5f9a-a564-27961f6fd757.html](http://journalstar.com/news/local/govt-and-politics/norbert-tiemann-remembered-as-dynamic-state-leader/article_85353521-69d6-5f9a-a564-27961f6fd757.html)). In the first year of Tiemann's term, the legislature addressed issues such as fair housing, improvement of state mental health facilities, and a proposal to lower the voting age to nineteen (National Governor's Association. 2016. [http://www.nga.org/cms/home/governors/past-governors-bios/page\\_nebraska/col2-content/main-content-list/title\\_tiemann\\_norbert.default.html](http://www.nga.org/cms/home/governors/past-governors-bios/page_nebraska/col2-content/main-content-list/title_tiemann_norbert.default.html)).

<sup>26</sup> Jenkins, "History of Natural Resources Districts," 2-3.

<sup>27</sup> Fairchild, NRD Oral History Project, 12-13.

<sup>28</sup> Sen. Maurice Kremer, from Aurora, Nebraska, served in the Nebraska Unicameral Legislature from 1963 to 1983, and was chairperson of the Agriculture and Public Works committees. His nickname was "Mr. Water" because of his work to establish groundwater laws to help protect Nebraska's water resources. Jenkins, "History of Natural Resources Districts," 3-5.

<sup>29</sup> Fairchild, NRD Oral History Project, 17-18.

<sup>30</sup> Jenkins, "History of Natural Resources Districts," 5-6.

<sup>31</sup> Lee Orton was a staff attorney for the Soil and Water Conservation Commission, 1969 to 1973, and employee of the Nebraska Association of Resources Districts, 1973-83, and an attorney, 1983 until present.

<sup>32</sup> Lee Orton, NRD Oral History Project, 8. Erv Matulka was a director of one of the watershed organizations. Gove was a very close friend of Matulka's. Both men were opposed to the NRDs because they feared the formation of the NRDs would take away local control. "Group Fights Soil Water District Law," *Omaha World-Herald*, Feb. 14, 1970, 25; "Organization Formed Against Water Resources District Bill," *Lincoln Evening Journal*, Apr. 8, 1970, 1.

<sup>33</sup> Jenkins, "History of Natural Resources Districts," 5-6.

<sup>34</sup> Barr, NRD Oral History Project, 25.

<sup>35</sup> Yeutter, NRD Oral History Project, 13.

<sup>36</sup> Barr, NRD Oral History Project, 32-33.

<sup>37</sup> "Banner Opposes Natural Resource District," *Lincoln Star*, Apr. 8, 1970.

<sup>38</sup> Editorial, "Progress and Prudence," *Lincoln Journal*, Mar. 31, 1970.

<sup>39</sup> Glenn Kruescher, "LB 1357 33 Headed," *Lincoln Star*, July 26, 1970.

<sup>40</sup> "Natural Resource District Poked by Exon," *Lincoln Star*, Apr. 14, 1970.

<sup>41</sup> Don Walton, "Exon Pledging Return to Reason," *Lincoln Star*, Apr. 28, 1970, 1.

<sup>42</sup> Jenkins, "History of Natural Resources Districts," 9.

<sup>43</sup> Fairchild, NRD Oral History Project, 35-36. The Tri-County project refers to the Central Nebraska Public Power and Irrigation District, which was and still is the largest surface water irrigation district in Nebraska. The surface water diverted into this district's canals and reservoir has for over seventy years seeped through the surface of the ground to recharge underlying groundwater aquifers. Because of the close connection between the management of the surface water irrigation district and status of the underlying groundwater aquifers, it was thought it best to create district boundaries that would reflect this connection, even though these boundaries did not coincide with the surface watershed boundaries.

<sup>44</sup> Jim Cook was the assistant legal counsel for the Nebraska Soil and Water Conservation Commission and for the Nebraska Natural Resources Commission, 1970 to 1973. He became the chief legal counsel for the Natural Resources Commission in 1973 and served in this capacity for both the commission and the Department of Natural Resources, which was created by the merger of the commission with the Department of Water Resources in 1999, until his retirement in 2007.

<sup>45</sup> Jim Cook, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/CookJi.pdf>, 4.

<sup>46</sup> Jenkins, "History of Natural Resources Districts," 8-9.

<sup>47</sup> Yeutter, NRD Oral History Project, 12-13.

<sup>48</sup> Fairchild, NRD Oral History Project, 12-13.

<sup>49</sup> Dayle Williamson, NRD Oral History Project, 15. State Senator Jules Burbach of Crofton, Nebraska, was well known as a "deal maker" in the Nebraska Legislature. He was also recognized as a "cheerleader" for Sen. Maurice Kremer, the sponsor of the Natural Resources District legislation. When Senator Kremer would think about giving up on the legislation because of considerable controversy, Burbach would cheer him on, and urge other senators to support the bill. In fact, when Burbach campaigned for governor in the primary election, he made approving the Natural Resources Districts Act one of his major platform pieces. His opponent, Lincoln businessman J. James Exon, was staunchly against the NRD concept. Burbach lost the primary election by a very slim margin. Many attributed his loss to his support of the natural resources district reorganization plan.

<sup>50</sup> Loran Schmit was a member of the Bellwood Watershed Conservancy District and served in the Nebraska Legislature, 1969 to 1993.

<sup>51</sup> Loran Schmit, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Schmit.pdf>, 7-11.

<sup>52</sup> Jenkins, "History of Natural Resources Districts," 15-17.

<sup>53</sup> *Ibid.*, 12-15.

<sup>54</sup> Orton, NRD Oral History Project, 22-23.

<sup>55</sup> Arden Bredemeier is a retired farmer and was a director on the Nemaha NRD, 1972 to 1992.

<sup>56</sup> Arden Bredemeier, NRD Oral History Project, 2016, <http://nrdstories.org/wp-content/uploads/Bredemeier.pdf>, 3.

<sup>57</sup> Orton, NRD Oral History Project, 11.

<sup>58</sup> Jenkins, "History of Natural Resources Districts," 19.

<sup>59</sup> Bleed and Hoffman Babbitt, *Nebraska's Natural Resources Districts*, 35-40.

<sup>60</sup> *Nebraska Revised Statutes, 2016*, State of Nebraska Legislature, Neb. Rev. Stat. §46-715(2)(b), <http://nebraskalegislature.gov/laws/laws.php>.

<sup>61</sup> Neb. Rev. Stat. §46-715(4); Dean Edson, executive director of the Nebraska Association of Resources Districts, personal communication, 2016.

<sup>62</sup> Bleed and Hoffman Babbitt, *Nebraska's Natural Resources Districts*, 136-43.

<sup>63</sup> *Ibid.*, 54-55, 136-141.

<sup>64</sup> Edson, "A Unique System of Resource Governance," 11.

<sup>65</sup> "Natural Resource District Law Controversial," *McCook Daily Gazette*, Apr. 18, 1970.

<sup>66</sup> Bereuter, NRD Oral History Project, 2016, 6-7, 14-15.

<sup>67</sup> Fairchild, NRD Oral History Project, 23, 33, 16.

<sup>68</sup> Dick Herman, *Lincoln Journal*, Apr. 3, 1986, quoted by Frederick C. Luebke, "Tiemann, Taxes, and the Centennial Legislature of 1967: Beginning Nebraska's Second Century," *Nebraska History* 71, no. 3 (1990): 119, accessed February 3, 2010, [http://www.nebraskahistory.org/publish/publicat/history/full-text/1990-Tiemann\\_Taxes.pdf](http://www.nebraskahistory.org/publish/publicat/history/full-text/1990-Tiemann_Taxes.pdf).

<sup>69</sup> Barr, NRD Oral History Project, 39-40, 37-38.

<sup>70</sup> Williamson, NRD Oral History Project, 24.

<sup>71</sup> Fairchild, NRD Oral History Project, 40.

<sup>72</sup> Barr, NRD Oral History Project, 41.

<sup>73</sup> Orton, NRD Oral History Project, 13-14.

<sup>74</sup> Yeutter, NRD Oral History Project, 6.

