

MEMORANDUM

TO THE BOARD:

SUBJECT: General's Manager Report

DATE: April 6, 2005

FROM: Steve Oltmans, General Manager

A. **INFORMATION/EDUCATION REPORT**: A copy of the I&E Report detailing Information and Education activities for the month of March, 2005, is attached for your review.

B. **MISCELLANEOUS/PERSONNEL ITEMS**:

1. On March 29, 2005 South Sioux City held a Signing Ceremony for Crystal Cove. This project is the 1st in the nation by the Corps of Engineers under the Missouri and Middle Mississippi Rivers Environmental Enhancement Project (Section 514). **Gerry Bowen** represented the P-MRNRD at the ceremony.
2. Thank You's and Miscellaneous Letters:
 - a. Attached is an e-mail from Jeff Beals, Vice President, Coldwell Banker Commercial World Group, and host of the KKAR radio program, "Grow Omaha," thanking the GM for being a guest on the March 12th program. The radio program airs 8:00 – 9:00 a.m. on Saturday mornings.
 - b. Attached is a "thank you" note from the Belford Family thanking the District for the use of the Natural Resources Center for their son's Eagle Scout ceremony. The note states, "Your facilities and staff were just excellent for our needs."

C. **REPORT ON PURCHASES – CONSTRUCTION SERVICES, PROFESSIONAL SERVICES, PERSONAL PROPERTY**: Pursuant to Board direction, attached is a report indicating construction services, professional services and personal property purchases for the month of March, 2005. Please review this report and contact me if you have any questions.

D. **CURRENT AND ON-GOING PROJECTS – P-MRNRD LEGAL COUNSEL**: Attached is a copy of the current and on-going projects for District Legal Counsel, Paul Peters, as of February 14, 2005. I would ask each Director to review this listing. If you have any questions, please feel free to contact me.

- E. **PAPIO CREEK WATERSHED PARTNERSHIP UPDATE:** Attached are the minutes from the March 17, 2005 PCWP meeting. The meeting focused on the presentation for the “Safe” Watershed Public Forum held on March 23, 2005. The next partnership meeting will be held on April 28, 2005 at 10:00 a.m. at the NRC.
- F. **2004 WATER QUALITY REPORT:** In March the District prepared and sent to all rural water customers the 2004 Water Quality Report. The report is different for each of the District’s three rural water systems, inasmuch as the source of supply comes from three different communities. A copy of the Thurston, Washington and Dakota County Rural Water System Reports are attached for your review and information. This report, mandated by the EPA, is revised and submitted annually.
- G. **NEWS CLIPS:**
- ⇒ March 3, 2005, Papillion Times Article – Mall Shadow Lake ‘big impact’ for Papillion
 - ⇒ March 9, 2005, Bellevue Leader Editorial – Riverfront dreams
 - ⇒ March 10, 2005, Ashland Gazette Article – Obstructions to be removed from Platte
 - ⇒ March 11, 2005, Omaha World Herald Article – Interest in water system to be gauged
 - ⇒ March 13, 2005, Sioux City Journal Article – New building will put farmers’ stops all in one place
 - ⇒ March 15, 2005, Douglas County Gazette Article – Washington County landowners file suit against NRD
 - ⇒ March 15, 2005, Blair Pilot-Tribune Article – Local folks sue to stop NRD dam
 - ⇒ March 15, 2005, Blair Pilot Tribune Article – Subdivision may join rural water plan
 - ⇒ March 15, 2005, Omaha World Herald Article – Bighorn painting selected for stamp
 - ⇒ March 16, 2005, Omaha World Herald Editorial – Discover Boyer Chute. Look, linger, hunt, fish, hike, observe birds, watch wildlife, enjoy nature.
 - ⇒ March 16, 2005, Lincoln Journal Star Article – Program would cut irrigation. It will pay farmers to not irrigate land along the Platte and Republican rivers.
 - ⇒ March 16, 2005, Omaha World Herald Article – More people appeal proposed – Gene Leahy Mall master plan.
 - ⇒ March 19, 2005, Omaha World Herald Article – Residents sue to stop dam project.
 - ⇒ March 20, 2005, Omaha World Herald Article – Set-aside deal touted as wildlife rejuvenator
 - ⇒ March 21, 2005, Omaha World Herald Article – The flood of possibilities they don’t want. A proposal to build dams to help with flood control in Omaha could leave some homes in Washington, Neb., under water.
 - ⇒ March 22, 2005, Blair Pilot Tribune Article – Rural water work begins
 - ⇒ March 24, 2005, Omaha World Herald Article – Judge says group’s bid to stop dam was too late.
 - ⇒ March 25, 2005, Blair Enterprise Article – Landowners’ lawsuit against NRD dam project dismissed.
 - ⇒ March 25, 2005, Omaha World Herald Article – Funding approved for Leigh dam

- ⇒ March 25, 2005, Omaha World Herald Article – Washington County talks of rural crowding
- ⇒ March 28, 2005, Omaha World Herald Article – Cities speak up on water. Officials say irrigators have too much say on policy.
- ⇒ March 28, 2005, Omaha World Herald Editorial – New law no answer. Nebraska water task force is the group to trust to fix competing water interests.
- ⇒ March 29, 2005, Lincoln Journal Star Editorial – Conservation program will aid transition
- ⇒ March 30, 2005, Omaha World Herald Article – Omaha-to-Fremont trail plan in doubt. The Douglas County Board's failure to approve the recreation project could result in the loss of \$5.5 million in federal funding.
- ⇒ March 31, 2005, Omaha World Herald Article – Trail vote could cost federal money. Rep. Lee Terry says the funds may be spent elsewhere if the Douglas County Board doesn't pay its share.
- ⇒ March 31, 2005, Omaha World Herald Article – Osborne: Protect McConaughy for all uses.
- ⇒ April 1, 2005, Blair Pilot Tribune Article – Landowners appeal NRD ruling.
- ⇒ April 5, 2005, Omaha World Herald Article – Water program a hit with farmers
- ⇒ April 6, 2005, Omaha World Herald Public Pulse Letter from Ralph Roza, Corps of Engineers, Chief, Planning Branch – Corps' work is vital
- ⇒ April 7, 2005, Omaha World Herald Article – Developer eyes I-80 site to build amusement park
- ⇒ April 8, 2005, Omaha World Herald Article – Irrigators oppose groundwater plan [Note from GM: This is serious business pursuant to the Kansas law suit settlement on the Republican River Compact of 1943.)

March 2005

Information & Education Report

Information

- Continued work on prep for Earth Day celebration
- Began work on Spring 2005 SPECTRUM
- Prepared for General Manager appearance on Grow Omaha radio program
- Began work on mailing of Speakers Bureau mailing
- Began work on Back to the River video
- Began prep for state Envirothon
- Began work on National Trails Day ads
- Assisted GM on prep for Reservoirs story in Midlands Business Journal

Education

- Selected Schools to attend Water Works 2005
- Delivered treats to school partners for Teacher Appreciation Day
- Read for 'Read Across America' at Benson West Elementary
- Attended training on InDesign software
- Presented at King Science Magnet School's Science Fun Night
- Held Metro-Regional Envirothon
 - Send out Winner Certificates
 - Contacted State Representative about Registration
- Presented Bird Program to Benson West Elementary 1st Grades
- Met with the Omaha Raptor Team concerning Flight Cages
- Presented at the Earth Wellness Festival
- Met with the Metro YMCA concerning Corporate Programs
- Scheduled and Managed 90 volunteer hours
- Continued working on NGP Foundation Grant
- Scheduled Spring Bird Banding Programs
- Presented Geocaching program to Millard South Environmental Studies Class
- Sent out Spring Program Confirmation Letters
- Confirmed tree cooler and tree delivery
- Continued working on revisions for P-MRNRD policies
- Contacted local geocaching organizations for in-put on policies
- Arranged for OWH Newspapers In the Classroom sponsorship

SCHEDULE OF EVENTS

11:00 a.m.

Welcome

Bill McLarty, South Sioux City Mayor

Comments

Major General Don Riley, United States Army Corps of Engineers

Greg Johnson, United States Army Corps of Engineers

Gerry Bowen, Papio-Missouri NRD

Vincent Krampfer, NE Environmental Trust

Jay Ringenberg, NE Dept. of Environmental Quality
Rick Eades, NE Game & Parks Dept.

Project History

Don Becker, United States Army Corps of Engineers, Retired

Al Bengtson, South Sioux City Council President

11:35 a.m.

Signing of Crystal Cove Agreement

Major General Don Riley & Mayor Bill McLarty

11:45 a.m.

Ground Breaking - Please move down to the lake area

12:00 p.m.

Luncheon for Special Guests – by Invitation Only
South Sioux City Public Library, 2121 Dakota Avenue

Crystal Cove Project Cooperation Agreement

Signing Ceremony

By action from the South Sioux City Council,

Crystal Cove Committee,

Nebraska Environmental Trust,

Nebraska Department of

Environmental Quality,

Papio-Missouri Natural Resource District and

United States Army Corps of Engineers

Whereas the project is to be the 1st in the nation

by the Corps of Engineers under the

Missouri & Middle Mississippi Rivers

Environmental Enhancement Project

(Section 514, Water Resource Development Act of 1999)

Oltmans, Steve

From: Jeff Beals [JBeals@worldgroupllc.com]
Sent: Monday, March 14, 2005 2:32 PM
To: Oltmans, Steve
Subject: Thank you

Steve,

KKAR 1290 8:00 - 9:00 AM

Thank you for being our guest on Grow Omaha Saturday morning. We received quite a bit of positive feedback about the show from several of our listeners. Apparently a lot of our regular listeners are heavy users of the trail system and the various recreation areas. I researched your organization a great deal in preparing for the show, and I now have new appreciation for all that you do. I look forward to keeping in touch!

Our intern will send you a C.D. recording of the show this week.

Thanks again,

Jeff Beals
Vice President of Operations
Coldwell Banker Commercial World Group
362 North 114th Street
Omaha, NE 68154
(402) 697-8899 (Office)
(402) 510-7468 (Mobile)
(402) 697-8585 (Fax)
www.worldgroupllc.com
www.growomaha.com

3/14/2005

Thank
You

Dear Chalco Hills Recreation Staff, ³⁻¹⁵⁻⁰⁵

Thank you so much for the use of your beautiful facility for our son's Eagle Court of Honor. Your facility & staff were just excellent for our needs.

Sincerely,
Tony, Mary & Dan
Belford

Updated: March 11, 2005

Current and On-Going Projects P-MRNRD Legal Counsel

★ = Top Priority

F = Future Work – No Assignment

N = New Assignment

O = Others Handling

W = Work in Progress

P = PFP's Portion Completed

- **Big Papio Channel Project - West Center Road to West Dodge Road** (Woodward):
- **Little Papio**: (Cleveland)
- **Big Papio** : (Cleveland)
- **West Branch** (Cleveland):
 - Land Exchange with Sarpy Co. (96th St.) (W)
 - Purchase Agreements, deeds (90th to Giles) (P)
 - ★ Interlocal Agreement with Sarpy County and Bellino (N)
 - ★ Dittus ROW Condemnation (N)
- **Western Sarpy Dike** (Cleveland):
 - Closing with Bundy's (potentially modify ROW/offer) (F)
 - Amended drainage ditch easements on Hickey (First National Property) (P)
 - Cabin ROW Documents, closing for Vosler & Grothe (W)
 - Hansen ROW Condemnation (W)
- **Floodway Purchase Program** (Woodward):
 - Floodway Property Purchase Agreements as needed (F)
- **Trail Projects** (Bowen):
- **Missouri River Corridor Project** (Becic):
 - California Bend – Final settlement with tenant (Wright's) (W)
 - Lower Decatur Bend – Appraisal Review, ROW documents and habitat easements (P)

- **USDA P.L. 566 Projects, Silver Creek and Pigeon/Jones Watershed** (Puls/Cleveland):
 - Pigeon/Jones Creek Site Easements – as needed (P)
 - Silver Creek Site Easements– as needed (W)
 - Release of Site S-7 Easement (W)
 - ★ Papio Site S-27 (Fox Ridge Estates) Trail Easements (W)
- **Papio Watershed Dam Sites** (Woodward/Petermann):
 - Dam Site 19 agreement (F)
 - DS 13 Closing with Lyman-Richey Corp (P)
 - ★ DS 13 Agreement with Elkhorn and Omaha (W)
 - ★ DS 13 Easement with Metro Community College (W)
 - ★ Shadow Lakes Agreement with SIDs (N)
- **Papio Creek Watershed Partnership (Stormwater)** (Woodward):
 - Stage III Contract with HDR (N)
- **Rural Water Projects:** (Sklenar)
- **Elkhorn River Public Access Sites** (Sklenar):
- **Other:**

**PAPILLION CREEK
WATERSHED PARTNERSHIP**

MEETING MINUTES



**Subcommittee Meeting on Comprehensive Stormwater Management
March 17, 2005, 9 AM to 10 AM - Board Room
Natural Resources Center, 8901 S. 154th Street, Omaha, NE**

Attendants

The following were in attendance: Laurie Carrette Zook (HDR), Lyle Christensen (HDR), Kent Holm (Douglas County), Dan Freshman (Ralston), Sheri Larsen (Elkhorn), Joe Soucie (LaVista), Robert Hayes (Boys Town), Nina Cudahy (Omaha), Bob Sink (Omaha), Karen Klein (Omaha), Pat Slaven (Omaha), and Marlin Petermann (P-MRNRD).

Purpose

A Partnership Subcommittee meeting was held on the above date in order to discuss topics stated in the attached agenda. The meeting began at approximately 9:07 AM.

1. Introductions

- Marlin Petermann (P-MRNRD) opened the meeting and everyone introduced himself or herself. An agenda and sign-up sheet were distributed.

2. Next Public Meeting: Safe Watershed, March 23, 2005.

- Lyle Christensen (HDR) reviewed the proposed presentation for the "Safe" Watershed Public Form to be held Wednesday, March 23, 2005. Several items of note are summarized.
 - A typical cross section and plan view of the flooding were shown at three locations within the Watershed. These graphics show how the floodplain handles the 10- and 100-year flood events, as defined in the most current Flood Insurance Study. The floodplains shown need to be replotted to depict the current mapped floodplain. Bob Sink (Omaha) suggested relating the floodplain to acres of land flooded per a unit of length.
 - The graphic used to define the floodway and floodplain is confusing and needs to be revised and simplified.
 - "Fully developed" land use conditions were based on the latest comprehensive land use plans from the communities or counties within the Watershed.
 - It was noted to describe the rationale for locating channelization and reservoirs projects within a Watershed.
 - Bob Sink (Omaha) suggested adding a slide to the beginning of the presentation to alert the audience with a flooding statistics on number of lives lost and damages. Within the Watershed, 10 deaths have occurred: 1964 ➔7; 1999 ➔1 and 2004 ➔ 2.

- A copy of the latest “Clean” Watershed Questions Posed by Attendees at the February 17th public meeting was distributed. Any comments are to be provided to Laurie Carrette Zook (HDR) by March 21. The questions and responses will be then posted on the PCWP website.
- In preparation for the “Safe” Watershed meeting a series of “Frequently Asked Questions” (FAQ) on the multi-reservoir program has been prepared. Any comments are to be provided to Laurie Carrette Zook (HDR) by March 21.
- The PCWP website will be updated by Nina Cudahy (Omaha) to reflect the past public meetings including the presentations and survey results.
- The public invitation notice has been modified by Paul Woodward (P-MRNRD) and was emailed the week of March 14. Sign-in sheet, comment card, nametags, and handout materials will be coordinated between HDR and P-MRNRD.

3. Next Meeting Dates

- At the Partnership meeting following this Subcommittee meeting, a smaller subcommittee was formed to discuss the revised Stage III scope of work and includes: Joe Souie (LaVista), Marty Grate (Omaha), Nina Cudahy (Omaha), Bob Sink (Omaha), Robert Hayes (Boys Town) and Kent Holm (Douglas County). The next Sub-Subcommittee meeting will be held on Thursday, March 24, 2005 at 10:00 AM in the Board Room of the Natural Resources Center to review the Stage III scope of work prepared by HDR. The next public forum is scheduled for Wednesday, March 23, 2005, at 7:00 PM.

4. Adjourn

- The meeting adjourned at approximately 10:06 AM. An agenda, attendance list, and the handouts passed out at the meeting are available to those members who were not present at the meeting upon request.

Please contact Paul Woodward at 444-6222 or Laurie Carrette Zook at 399-1078 regarding any questions or comments concerning these meeting minutes.

2004 Water Quality Report

For the period of Jan. 1 to Dec. 31, 2004



A word from your water supplier

The District is presenting you with this year's annual Water Quality Report. We want to keep you informed about the quality of water that has been delivered to you over the past year. Our constant goal is to provide you a safe and dependable supply of drinking water. Our water source is derived and purchased from the Village of Pender, which draws groundwater from its wells. Chlorine is added to your water supply in precise amounts through an automatic feeder. Chlorine destroys bacteria and is a vital step in ensuring the health of our community. The Village of Pender is taking steps to address the high nitrate contamination in their water supply. The construction of a new water treatment plant (completion by June 2005) is scheduled to resolve the problem.

All NRD employees responsible for operating and maintaining the system are trained and certified by the State. The NRD welcomes your comments; the Board of Directors meets at 8 PM on the second Thursday of every month at 8091 S. 154th Street, Omaha, NE. For a copy of the agenda, call the NRD at (402) 444-6222 or visit the NRD's web site at:

www.papionrd.org

About this Report

This report is meant to show substances that were detected in your water during the past calendar year. The U.S. Congress revised the Safe Drinking Water Act in 1996, requiring public water systems to send annual water quality reports to all customers served, or by advertising in a local paper. This report is paid by water customers through current water rates. If you have any questions about your water quality, contact Dick Sklenar, Project Manager, (402) 444-6222.

What you should know: Contaminants found in your drinking water

All drinking water, including bottled water, may reasonably be expected to contain naturally occurring minerals and at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Water Hotline at 1-800-426-4791.

Contaminants that may be present in the source water include:

- A) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
- B) Inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban storm water runoff, industrial, or domestic wastewater discharges, oil and gas production, mining, or farming.
- C) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- D) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.
- E) Radioactive contaminants, which can be naturally occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, the Environmental Protection Agency prescribes regulations that limit the amount of certain contaminants in water provided by public water systems.

Notice to immuno-compromised persons

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, such as those with cancer undergoing chemotherapy, persons who have undergone organ transplants, those with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. The EPA and Center for Disease Control guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbiological contaminants are available from the **Safe Drinking Water Hotline** at 1-800 426-4791.

Pender's Source Water Assessment Availability

The Nebraska Dept. of Environmental Quality (NDEQ) has completed the Source Water Assessment. Included in the assessment is a Wellhead Protection Area map, potential contaminant source inventory, vulnerability rating, and source water protection information. For more information, please contact the NDEQ at (402) 471-6988.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of contaminants. The presence of contaminants does not necessarily pose a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.

2004 Water Quality Report

Test Results (Collected in 2004 unless noted)

Microbiological Contaminants						
Contaminant	Violation?	Positive samples #	MCLG	Total number of Samples	Maximum Contaminant Level (MCL)	Likely source of Contamination
Total Coliform bacteria *	NO		0		0	
Inorganic Contaminants						
Contaminant	Violation?	Highest Level Detected	Unit of measurement	MCLG	MCL	Likely source of Contamination
Fluoride (2003)	NO	.34	PPM	4	4	Water additive which promotes strong teeth; discharge from fertilizer; erosion of natural deposits
Nitrate-Nitrite	YES	12	PPM	10	10	Runoff from fertilizer; leaching from sewage; erosion of natural deposits
Copper (2003) *	NO	598	PPB	1300	1300	Corrosion of household plumbing system; erosion of natural deposits; leaching from wood preservatives
Lead (2003) *	NO	2.9	PPB	0	15	Corrosion of household plumbing system; erosion of natural deposits.
Arsenic (2003)	NO	35.7	PPB	N/A	50	Erosion of natural deposits; runoff from orchards
Barium (2003)	NO	.596	PPM	2	2	Discharge of drilling wastes, metal refineries. Erosion of natural deposits.
Chromium (2003)	NO	3.15	PPB	100	100	Discharge from steel and pulp mills; Erosion of natural deposits.
Nickel (2001)	NO	8.31	PPB	N/A	100	Erosion of natural deposits; Leaching.
Selenium (2003)	NO	35.4	PPB	50	50	Discharge from petroleum and metal refineries; Erosion of natural deposits.
Disinfectants & Disinfectant By-Products						
Total Haloacetic Acids (HAA5)*	NO	1.1	PPB		60	By-product of drinking water chlorination
Total Trihalomethanes (TTHMs)*	NO	6.23	PPB	N/A	80	By-product of drinking water chlorination
Radioactive Contaminants						
Alpha Emitters (2000)	NO	4.8	pCi/l	0	15	Erosion of natural deposits
Unregulated Contaminants						
Contaminant	Highest Level Detected	Unit of Measurement				
Sulfate (2003)	77.0	PPM				

* = Collected by P-MRNRD. All others by City of Pender

Note: The state requires monitoring of certain contaminants less than once per year because the concentrations of these contaminants do not change frequently. Therefore, some of our data may be more than one year old. Also, Information about Radiological contaminants may be obtained from NE Health and Human Services by calling (402) 471-2541.

MCL (Maximum contaminant level): the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology. **MCLG (Maximum contaminant level goal)** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety. **PPM (Parts per million)** one part per million, or milligram per liter, corresponds to one minute in 2 years or one penny in \$10,000. **PPB (Parts per billion)** one part per billion, or one microgram per liter, corresponds to one minute in 2,000 years or a single penny in \$10,000,000.

Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than 6 months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant, you should ask for advice from your health care provider. The Environmental Protection Agency (EPA) is currently reviewing the drinking water standard for arsenic because of special concerns that it may not be stringent enough. Arsenic is a naturally occurring mineral known to cause cancer in humans at high concentrations.

Your Community Water system is required to test for the following contaminants: Coliform Bacteria, Antimony, Arsenic, Asbestos, Barium, Beryllium, Cadmium, Chromium, Copper, Cyanide, Fluoride, Lead, Mercury, Nickel, Nitrate, Nitrite, Selenium, Sodium, Thallium, Alachlor, Atrazine, Benzo(a)pyrene, Carbofuran, Chlordane, Dalapon, Di(2-ethylhexyl)adipate, Dibromochloropropane, Dinoseb, Di(2-ethylhexyl)phthalate, Diquat, 2,4-D, Endothal, Endrin, Ethylene Dibromide, Glyphosate, Heptachlor, Heptachlor epoxide, Hexachlorobenzene, Hexachlorocyclopentadiene, Lindane, Methoxychlor, Oxamyl (Vydate), Pentachlorophenol, Picloram, Polychlorinated biphenyls, Simazine, Toxaphene, Dioxin, Silvex, Benzene, Carbon Tetrachloride, o-Dichlorobenzene, Para-Dichlorobenzene, 1,2-Dichloroethane, 1,1-Dichloroethylene, Cis-1,2-Dichloroethylene, Trans-1,2-Dichloroethylene, Dichloromethane, 1,2-Dichloromethane, Ethylbenzene, Monochlorobenzene, 1,2,4-Trichlorobenzene, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethylene, Vinyl Chloride, Styrene, Tetrachloroethylene, Toluene, Xylenes (total) Gross Alpha (minus Uranium & Radium 226), Radium 226 plus Radium 228, Sulfate, Chloroform, Bromodichloromethane, Chlorodibromomethane, Bromoform, Chlorobenzene, m-Dichlorobenzene, 1,1-Dichloropropene, 1,1-Dichloroethane, 1,1,2,2-Tetrachloroethane, 1,2-Dichlorobenzene, 1,1-Dichloropropene, 1,1-Dichloroethane, 1,2-Dichloropropane, Chloromethane, Bromomethane, 1,23-Trichloropropane, 1,1,1,2-Tetrachloroethane, Chloroethane, 2,2-Dichloropropane, o-Chlorotoluene, p-Chlorotoluene, Bromobenzene, 1,3-Dichloropropane, Aldrin, Butachlor, Carbarryl, Dicamba, Dieldrin, 3-Hydroxycarbofuran, Methionyl, Metolachlor, Metribuzin, Propachlor.

2004 Water Quality Report

For the period of Jan. 1 to Dec. 31, 2004



A word from your water supplier

The District is providing you with this year's annual Water Quality Report. We want to keep you informed about the excellent quality of water that has been delivered to you over the past year. Our goal is, and always has been, to provide you a safe and dependable supply of drinking water. Our water comes from the Metropolitan Utilities District, which draws water from the Platte and Missouri Rivers. Chloramine is added to your water supply in precise amounts to destroy bacteria, and is a vital step in ensuring the health of our community. Your Washington County Rural Water System presently has about 35 miles of pipeline, providing service to over 420 rural residences and to the City of Ft. Calhoun.

All NRD employees responsible for operating and maintaining the system are trained and certified by the State. The NRD welcomes your comments; the Board of Directors meets at 8:00 p.m., on the second Thursday of every month at 8091 S. 154th Street, Omaha, NE. For a copy of the agenda, call the NRD at (402) 444-6222 or visit the NRD's web site at;

www.papionrd.org

About this Report

This report is meant to show substances that were detected in your water during the past calendar year. The U.S. Congress revised the Safe Drinking Water Act in 1996, requiring public water systems to send annual water quality reports to all customers served, or by advertising in a local paper.

Este informe contiene informacion muy importante sobre el agua que usted bebe. Traduzcalo o hable con alguien que lo entienda bien.

What you should know: Contaminants found in your drinking water

All drinking water, including bottled water, may reasonably be expected to contain naturally occurring minerals and at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Water Hotline at 1-800-426-4791.

Contaminants that may be present in the source water include:

- A) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
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Source Water Assessment Availability

At this time, Nebraska Department of Environmental Quality (NDEQ) has not completed a source water assessment. However, NDEQ has prepared a wellhead protection area for information contact NDEQ Groundwater Section at (402) 471-0096.

How to read the report

The table shows substances detected in your water from January 1 to December 31, 2004.

Maximum Contaminant Level (MCL) Highest level of a contaminant allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology. **Maximum Contaminant Level Goal (MCLG)** Level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

N/A means not applicable. **NTU** means nephelometric turbidity units.

PPM (parts per million) means 1 part per million (or milligram per liter) and corresponds to 1 minute in 2 years or 1 penny in \$10 thousand.

PPB (parts per billion) means 1 part per billion (or microgram per liter) and corresponds to 1 minute in 2,000 years or 1 penny in \$10 million.

PCi/L means picocuries per liter; a measure of radiation

Peaking wells produced .1 percent of the water consumed in 2004.

< means less than.

> means more than.

Washington County Rural Water System • 2004 Water Quality Report

Tested and Detected*	Unit	Max. Allowed	Goal	Florence Plant	Platte Plant	Millard/Elkhorn Peaking Wells	Likely source(s)	Violation
Arsenic	ppb	50	N/A	< 2.0	6.0	4.3 - <2.0	Runoff from orchards; natural deposits; runoff from glass and electronic production wastes.	No
Atrazine	ppb	3	3	.4 - < .08	9 - <0.08	.6 - <0.08	Runoff from herbicide used on row crops.	No
Barium	ppm	2	2	.03	.10	0.25 - 0.14	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.	No
Chromium	ppb	100	100	<1.0	4.9	13.5 - 9.4	Discharge from steel & pulp mills; natural deposits	No
Fluoride	ppm	4	4	1.1 - 1.0	1.1 - 1.0	0.3 - 0.2	Water additive to promote strong teeth; erosion of natural deposits; disch. from aluminum & fert. factory	No
Diquat	ppb	20	20	<0.6	.9	<0.6		
Selenium	ppb	50	50	<5.0	5.4	<5.0	Discharge from petroleum and metal refineries; Erosion of natural deposits	No
Nitrate & Nitrite total (as Nitrogen)	ppm	10	10	0.8	1.5	3.8 - 0.3	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits.	No
Sodium	ppm	500	N/A	92-57	203-41	21 - 18	An element of the alkali metal group found in nature, soil, rocks and other deposits.	No
Turbidity	NTU	1	N/A	0.33 - <0.08	N/A	N/A	Soil runoff.	No
Diquat	ppb	20	20	<0.6	0.9	<0.6	Runoff from Herbicide use.	No
Di(2-ethylhexyl)Adipate	ppb	400	400	<0.5	4.8	<0.5	Discharge from Chemical Factories.	No

* = Collected by Metropolitan Utilities District

Tested and Not Detected: 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, 1,1-Dichloroethylene, 1,2,4-Trichlorobenzene, 1,2-Dichloroethane, 1,2-Dichloropropane, 2,3,7,8-TCDD (Dioxin), 2,4,5-TP, 2,4-D, Acrylamide, Alachlor, Aldicarb Sulfone, Aldicarb Sulfoxide, Aldicarb, Antimony, Asbestos, Benzene, Benzo (a) pyrene, Beryllium, Cadmium, Carbofuran, Carbon, Carbon Tetrachloride, Chlordane, Chromium, cis-1,2-Dichloroethylene, Cyanide (as free cyanide), Dalapon, DBCP, Di (2-ethylhexyl) adipate, Di (2-ethylhexyl) phthalate, Dichloromethane, Dinoseb, Diquat, E. Coli, EDB, Endothal, Endrin, Epichlorohydrin, Ethylbenzene, Giardia Lamblia, Glyphosate, Gross alpha and Gross beta (radioactivity), Heptachlor epoxide, Heptachlor, Hexachlorobenzene, Hexachlorocyclopentadiene, Legionella, Lindane, Mercury, Methoxychlor, Monochlorobenzene, Nickel, o-Dichlorobenzene, Oxamyl (vydate), p-Dichlorobenzene, PCBs, Pentachlorophenol, Picloram, Radium-226 & 228 combined, Selenium, Simazine, Strontium-90 (e), Styrene, Tetrachloroethylene, Thallium, Toluene, Toxaphene, trans-1,2 Dichloroethylene, Trichloroethylene, Tritium (e), Vinyl chloride, Viruses, O-Xylene, Trifluralin.

Inorganic Contaminants (collected by P-MRNRD)

Contaminant	Violation	Unit	90 th %	MCLG	Action Level	Contamination Source	
Copper (2003)	NO	ppm	.0354	1.3	1.3	Corrosion of household plumbing system, erosion of natural deposits; leaching from wood preservatives	
Lead (2003)	NO	ppb	1	0	15	Corrosion of household plumbing system; erosion of natural deposits.	
	Violation	Highest Level	Range of Levels	Unit	MCLG	MCL	Contamination Source
Gross Alpha (2000)	NO	3	N/A	pCi/L	0	15	Erosion of natural deposits.

Disinfectants & Disinfection By-Products (collected by P-MRNRD)

Total Trihalomethanes (2004)	NO	88.3	22.7—88.3	ppb	0	80	By-product of drinking water chlorination
Total Haloacetic Acids (2004)	NO	41.5	3.47—41.5	ppb	---	60	By-product of drinking water chlorination

Unregulated Contaminants Tested and Detected (collected by M.U.D. or P-MRNRD)

Between January 1 - December 31, 2004, we conducted special monitoring tests for organic chemicals on the following unregulated contaminants.

Tested & Detected	Unit	Goal	Highest Level Detected	Range of Levels
Bromochloroacetic acid	ppb	N/A	7.9	7.9 - 1.1
Bromodichloromethane	ppb	0	18.0	18.0 - <0.5
Bromoform	ppb	0	0.8	0.8 - <0.5
Chloroform	ppb	N/A	49	49.0 - <0.5
Chloromethane	ppb	N/A	2.8	2.8 - <0.5
Dibromochloromethane	ppb	60	8.3	8.3 - <0.5
Dichloroacetic acid	ppb	0	30	30.0 - 2.9
Nickel	ppb	N/A	4.6	4.6 - <0.1
Metolachlor	ppb	N/A	2.0	2.0 - <0.1
Sulfate	ppm	N/A	170	11-170
Total Organic Carbon	ppm	N/A	3.6	3.6 - 2.1
Trichloroacetic Acid	ppm	300	7.2	7.2 - 0.6

Mineral Analysis (averages for 2004)

	Unit	Florence Plant	Platte Plant	Peaking Wells
pH (in pH units)		8.95	8.86	7.20
Alkalinity	ppm	82	147	264
Aluminum	ppm	0.38	<0.03	<0.03
Calcium	ppm	39	47	90
Chloride	ppm	20	52	8.6
Color (in cobalt platinum units)	ppm	2	5	1
Dissolved Solids (total, calculated)	ppm	425	421	574
Hardness (total) as CaCO ₃	grains per gallon	10	10	17
Iron	ppm	<0.02	<0.02	<0.03
Magnesium	ppm	17	12	20
Manganese	ppm	<0.02	<0.02	<0.02
Phosphate	ppm	0.05	0.64	0.66
Silica	ppm	7.6	23.1	32.1
Spec. Conductance @ 25 Deg.C	µS/cm	587	561	560
Temperature degrees	Celsius	14.3	14.5	--
Zinc	ppm	0.02	<0.01	<0.01

Microbiological Contaminants

(collected by P-MRNRD)

Contaminant	Violation	MCLG
Total Coliform Bacteria	NO	0

2004 Water Quality Report

For the period of Jan. 1 to Dec. 31, 2004



A word from your water supplier

The District is again pleased to provide you with this year's annual Water Quality Report. We want to keep you informed about the excellent quality of water that has been delivered to you over the past year. Our goal is, and always has been, to provide you a safe and dependable supply of drinking water. Our water source is derived and purchased from Dakota City which draws groundwater from its wells. Chlorine is added to your water supply in precise amounts through an automatic feeder. Chlorine destroys bacteria and is a vital step in ensuring the health of our community.

Your Dakota County Rural Water system presently has about 126 miles of pipeline, providing service to over 700 rural households. All NRD employees responsible for operating and maintaining the system are trained and certified by the State. The NRD welcomes your comments; the Board of Directors meets at 8 PM on the second Thursday of every month at 8091 S. 154th Street, Omaha, NE. For a copy of the agenda, call the NRD at (402) 444-6222 or visit the NRD's web site at: www.papionrd.org

Este informe contiene informacion muy importante sobre el agua que usted bebe.

About this Report

This report is meant to show substances that were detected in your water during the past calendar year. The U.S. Congress revised the Safe Drinking Water Act in 1996, requiring public water systems to send annual water quality reports to all customers served, or by advertising in a local paper. This report is paid by water customers through current water rates. If you have any questions about your water quality, contact **Randy Hummel, Superintendent, (402) 987-3402.**

What you should know: Contaminants found in your drinking water

All drinking water, including bottled water, may reasonably be expected to contain naturally occurring minerals and at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Water Hotline at 1-800-426-4791.

Contaminants that may be present in the source water include:

- A) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
- B) Inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban storm water runoff, industrial, or domestic wastewater discharges, oil and gas production, mining, or farming.
- C) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- D) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.
- E) Radioactive contaminants, which can be naturally occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, the Environmental Protection Agency prescribes regulations which limit the amount of certain contaminants in water provided by public water systems.

Notice to immuno-compromised persons

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, such as those with cancer undergoing chemotherapy, persons who have undergone organ transplants, those with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. The EPA and Center for Disease Control guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbiological contaminants are available from the Safe Drinking Water Hotline at 1-800 426-4791.

Dakota City's Source Water Assessment Availability

The Nebraska Dept. of Environmental Quality (NDEQ) has completed the Source Water Assessment. Included in the assessment is a Wellhead protection Area map, potential contaminant source inventory, vulnerability rating and source water protection information. To view the Source Water assessment or for more information please contact NDEQ at 402-471-6988.

2004 Water Quality Report

Test Results (Collected in 2004 unless noted)

Microbiological Contaminants

Contaminant	Violation?	Positive Samples #	MCLG	Total # Positive E. Coli or Fecal Coliform Samples	Maximum Contaminant Level (MCL)	Likely source of Contamination
Total Coliform bacteria *	NO	0	0	0	Any routine and a repeat sample that are coliform positive	Naturally present in the environment

Regulated Inorganic Contaminants

Contaminant	Violation?	Level detected	Unit of measurement	MCLG	MCL	Likely source of Contamination
Arsenic (01/14/2003)	NO	2.42	ppb	n/a	50	Erosion of natural deposits; Runoff from orchards; Runoff from electronics production wastes
Chromium (01/14/2003)	NO	2.61	ppb	100	100	Erosion of natural deposits; Discharge from steel and pulp mills
Nitrate-Nitrite	NO	.85	ppm	10	10	Runoff from fertilizer; Leaching from sewage; Erosion of natural deposits
Nickel	NO	1.55	ppb	n/a	100	
Copper * 6/17/2002 (90 th percentile)	No/0 sites over AL	334	ppb	1300	1300	Corrosion of household plumbing ;Erosion of natural deposits; Leaching from wood preservatives
Lead * 6/17/2002 (90 th percentile)	No/1site over AL	12.5	ppb	0	15	Corrosion of household plumbing system; Erosion of natural deposits.
Fluoride (01/14/2003)	NO	.35	ppm	4	4	Additive promoting strong teeth; discharge from fertilizer; Erosion of natural deposits

Radioactive Contaminants

Gross alpha, Radium & Uranium	NO	1.6	pCi/L	0	15	Erosion of natural deposits
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Disinfectants & Disinfection By-Products

Total Trihalomethanes*	NO	13.1	ppb	n/a	80	By-product of drinking water chlorination
Total Haloacetic Acids (HAA5)*	NO	2.82	ppb	n/a	60	By-product of drinking water chlorination
Total Haloacetic Acids (HAA5)*	NO	.06	ppb	n/a	60	By-product of drinking water chlorination

Unregulated Contaminants

Contaminant	Highest Level detected	Range of levels detected	Unit of Measurement
Sulfate	152	N/A	ppm

* = Collected by P-MRNRD. All others by Dakota City

Note: The state requires monitoring of certain contaminants less than once per year because the concentrations of these contaminants do not change frequently. Therefore, some of our data may be more than one year old. Also, Information about Radiological contaminants may be obtained from NE Health and Human Services by calling (402) 471-2541.

MCL (Maximum contaminant level): the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology. **MCLG (Maximum contaminant level goal)** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety. **PPM (Parts per million)** one part per million, or milligram per liter, corresponds to one minute in 2 years or one penny in \$10,000. **PPB (Parts per billion)** one part per billion, or one microgram per liter, corresponds to one minute in 2,000 years or a single penny in \$10,000,000.

Your Community Water system is required to test for the following contaminants: Coliform Bacteria, Antimony, Arsenic, Asbestos, Barium, Beryllium, Cadmium, Chromium, Copper, Cyanide, Fluoride, Lead, Mercury, Nickel, Nitrate, Nitrite, Selenium, Sodium, Thallium, Alachlor, Atrazine, Benzo(a)pyrene, Carbofuran, Chlordane, Dalapon, Di(2-ethylhexyl)adipate, Dibromochloropropane, Dinoseb, Di(2-ethylhexyl)phthalate, Diquat, 2,4-D, Endothall, Endrin, Ethylene Dibromide, Glyphosate, Heptachlor, Heptachlor epoxide, Hexachlorobenzene, Hexachlorocyclopentadiene, Lindane, Methoxychlor, Oxamyl (Vydate), Pentachlorophenol, Picloram, Polychlorinated biphenyls, Simazine, Toxaphene, Dioxin, Silvex, Benzene, Carbon Tetrachloride, o-Dichlorobenzene, Para-Dichlorobenzene, 1,2-Dichloroethane, 1,1-Dichloroethylene, Cis-1,2-Dichloroethylene, Trans-1,2-Dichloroethylene, Dichloromethane, 1,2-Dichloromethane, Ethylbenzene, Monochlorobenzene, 1,2,4-Trichlorobenzene, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethylene, Vinyl Chloride, Styrene, Tetrachloroethylene, Toluene, Xylenes (total) Gross Alpha (minus Uranium & Radium 226), Radkum 226 plus Radium 228, Sulfate, Chloroform, Bromodichloromethane, Chlorodibromomethane, Bromoform, Chloroform, Bromodichloromethane, Chlorodibromomethane, Bromoform, Chlorobenzene, m-Dichlorobenzene, 1,1-Dichloropropene, 1,1-Dichloroethane, 1,1,2,2-Tetrachloroethane, 1,2-Dichlorobenzene, 1,1-Dichloropropene, 1,1-Dichloroethane, 1,1,2,2-Tetrachloroethane, 1,2-Dichloropropene, Chloromethane, Bromomethane, 1,2,3-Trichloropropene, 1,1,1,2-Tetrachloroethane, Chloroethane, 2,2-Dichloropropane, o-Chlorotoluene, p-Chlorotoluene, Bromobenzene, 1,3-Dichloropropene, Aldrin, Butachlor, Carbarryl, Dicamba, Dieldrin, 3-Hydroxycarbofuran, Methonil, Metolachlor, Metribuzin, Propachlor.

Mall, Shadow Lake 'big impact' for Papillion

'This project, coupled with Shadow Lake, is probably the most dramatic thing to happen in Sarpy County in a long, long time.'

Denny Hogan

Attorney, representing Promenade, Shadow Lake developments

By Mitch Beaumont

Times Managing Editor

3-3-05

The Papillion Promenade project could have huge implications for the further development of Papillion as a destination center, said Denny Hogan, an attorney representing the mall's developers.

As the Promenade garnered favorable recommendations from the Papillion Planning Commission last week, Hogan said the combination of that project and the newly approved Shadow Lake residential development will have a tremendous impact on Papillion.

"I think it will have a bigger impact on Papillion and Sarpy County than Southroads," Hogan said. "This project, coupled with Shadow Lake, is probably the most dramatic thing to happen in Sarpy County in a long, long time."

Shadow Lake, which is proposed to be located behind the mall site, will be developed in two phases and is still moving through the approval process with the City Council. In the end, the residential development will feature more than 650 single-family homes, more than 110 stand-alone townhomes, a future elemen-

tary school site and several lakes and trails throughout.

"Shadow Lake will be a nice residential subdivision and the park space will be a nice addition to the city overall, certainly in combination with the upscale retail development coming in at the mall," said Mark Sturmsma, Papillion's planning director.

The combination of the large residential development with the Promenade, a nearly 900,000 square-foot commercial development proposed at Highway 370 and 72nd Street,

Please see Developments, Page A3

Developments: Significant impacts

from PAGE A1

hopefully will allow Papillion to see an influx of development and interest in the area, Hogan said.

"I think it's going to be a stimulus for some very important things in Papillion," he said. "It's the exact thing that needs to happen in Papillion. It's a very desirable area. It has everything an area like Papillion would need, except a retail center.

"It will draw people to the city," he said. "What better way

to draw people to the city than a high-end residential area and a lifestyle center. It's a great combination. It's an interesting development in the history of Sarpy County, and a very positive development."

Although the Papillion mall project has started and stalled a couple of times, Hogan said the fact that the Lerner Company - which is partnering with RED Development on the project - owns the land makes it more likely to succeed.

"It's farther than the (Papillion) Gardens was because the developer never bought the site," he said. "It belongs to Lerner; they bought it; they own it. We've formed a Sanitary Improvement District. We are way ahead of where the predecessor was. They've got millions invested already."

Although the Promenade's zoning has been in place since the Gardens' concept was proposed years ago, the project has to go through the platting process again because the site plan is different, Hogan said.

Riverfront dreams

Bellevue Herald-Examiner 3-9-03

It's time to put the dreaming caps on once again: What do you want on your riverfront?

The City of Bellevue has announced its intentions for Haworth Park North, and an artist's rendering of the now-demolished Kramer Power Plant site has been shown to the City Council and made public through various media outlets.

Nothing is set in paving stones, but this is the first step to the riverfront's future. Now it's time for the public to get involved and voice its opinion on the proposal, to offer its ideas to best use the 100-acre tract, to determine where Bellevue goes from here.

According to the first drawing of Haworth Park North, space is included for sports, music events, barbeques and educational purposes – all musts for this picturesque venue. A Frisbee golf course is included in the initial plan, and would certainly be unique and add a touch of character.

Let the dreaming begin.

Perhaps Bellevue University can be included in plan, working with the city to build a state-of-the-art baseball complex that would be home to the Bruins, as well as high school state tournaments and visiting College World Series teams.

If a four-field complex is part of the dream – as indicated in the initial drawing – it should be usable for softball teams, teams that would visit Bellevue for weekend tournaments and fill up our motels registries.

If a performance area is part of the dream – as indicated in the initial drawing – outdoor concerts and plays could be the norm on summer nights and autumn days.

If a former water intake building is converted to a dramatic Missouri River overlook – as indicated in the initial drawing – the building could contain an area for lovebirds to grab a bite to eat or enjoy a glass of wine.

If an outdoor water playground is part of the dream – as indicated in the initial drawing – it could be the grandest and dandiest water park in the metro area.

Let the dreaming begin.

As discussions of Haworth Park North move forward, now is not the time for city officials and civic leaders to get conservative.

Now is the time for the dreaming begin.

Now is the time to dream big.



Ashland Gazette
Ashland, NE
Cir. W. 1,827

MAR 10 2005

- Universal Information Services, Inc.

Obstructions to be removed from Platte

By Kelley Gaughan
Staff Reporter

LINCOLN – Obstructions in the Platte River are causing danger to boaters and swimmers.

The Lower Platte River Corridor Alliance (LPRCA) deemed two pilings in the Platte River dangerous and/or visually unpleasant and is working to rid the problem.

The LPRCA will begin removing the pilings around August. The pilings consist of a variety of materials including concrete, wood, rebar and unidentified material. Many times they are a result of an old bridge or road.

"We had to prioritize the most important pilings to remove," LPRCA Coordinator Rodney Verhoeff said.

The safety of people is the main purpose for the removal, although aesthetic value is important too, Verhoeff said.

The pilings aren't always visible and boaters can run into them, damaging their boat or even killing them. Also, swimmers can get caught on them and drowned.

One set of pilings is located on the Platte River north of Cedar Bluffs and the other is

north of Louisville, just west of the Highway 50 Bridge.

According to Verhoeff, the pilings located north of Cedar Bluffs were blown up in 1998, but have resurfaced.

He said the NRD is working on planning with the Union Pacific Railroad to remove the pieces. Most likely they will use heavy equipment to remove it, Verhoeff said.

An assessment has been completed on the pilings near Louisville and the LPRCA is submitting the plans to the U.S. Corps of Engineers. Verhoeff said they have to get a permit from the Corps to work on the river.

In order to remove the pilings near Louisville, Verhoeff said they plan to remove it via a causeway. A causeway is a peninsula or levy made of material or out of sand in the river, he said. This allows for the heavy equipment to gain access to the material for removal.

Verhoeff said the causeway technique was used when the Lied Bridge by South Bend had pilings removed in 2000.

According to Verhoeff, the piling concerns were brought to the attention of the LPRCA over the last several years by air boaters.

Members of the Nebraska Air Boaters Association assisted the LPRCA with locating the pilings between Columbus and Plattsmouth on the Platte River.

Verhoeff said during the last two summers they canoed the entire stretch with the air boaters and located the pilings and mapped them by GPS location. He said that some had been previously located in 2002.

After the map was made, the LPRCA, along with the air boaters' assistance, chose the two most important pilings to remove.

The piling removal project near Cedar Bluffs is funded by the Lower Platte North NRD and the Union Pacific Railroad and the project near Louisville is funded by the Lower Platte South and Papio-Missouri NRDs.

Ten other pilings were identified in the study.

"We haven't prioritized the rest of the pilings," Verhoeff said. "We have to budget based on what we find on prices for the current projects."

Verhoeff said they are trying to find other partners to help fund the removal of the other pilings.

Interest in water system to be gauged

Some residents of rural Washington County will soon receive surveys intended to gauge interest in connecting to a central water system.

The Papio-Missouri River Natural Resources District on Thursday voted to conduct a feasibility study for an extension of the rural water system that the district is building in the southeastern part of the county.

The City of Blair had asked the NRD to expand distribution lines to the northeast and connect to the city's existing water line.

The connection would increase water pressure for city residents and could provide water to 33 homes along County Roads P35, P28, and P37 west of Fort Calhoun.

Under the current plans, 36 miles of pipeline will supply water to about 270 households south of Blair and north of the Douglas County line, between U.S. Highway 75 and Nebraska Highway 133.

The \$3.5 million project, which includes a water tower and pump station in Blair, is expected to be running by the fall.

Dick Sklenar, special projects coordinator for the NRD, said at least 20 households would have to connect to the extended system to make it economically feasible.

The four-mile extension would increase the total project by slightly more than \$300,000.

—Marion Rhodes W-H
3-11-05

New building will put farmers' stops all in one place

Sioux City Journal, Sunday, March 13, 2005-H9

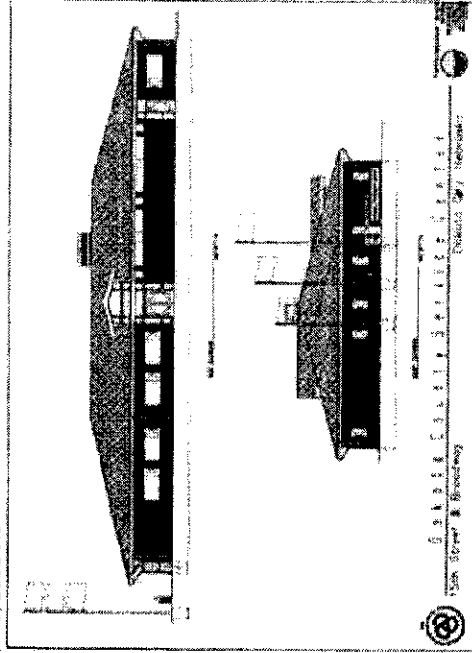
By Michele Luch
Journal staff writer

DAKOTA CITY — Sometime in June, farmers in this area will have one-stop shopping for all the government programs they use.

Construction is in progress at Broadway and 15th streets on a building that will house the Papio-Missouri Natural Resources District, the Natural Resources Conservation Service and the Farm Service Agency offices.

The three already work hand-in-hand, said Randy Hummel, water supply superintendent for the NRD's Dakota County Rural Water Service.

Hummel is working next door to the construction site and



A submitted architectural drawing of the Dakota County Service Center keeps daily track of progress on facility is becoming a trend the building. Sharing a single among such programs he said.

In Omaha, the same three agencies share space with each other and with the U.S. Army Corps of Engineers and several smaller agencies.

The southern half of the 9,000-square-foot, nearly \$1 million building in Dakota City will provide office space and a conference room for the NRCS and FSA, which already share space in South Sioux City. There is no true office for the NRD currently, although the secretary for the other two offices serves as a liaison for Dakota County Rural Water, the main NRD program.

Dakota County Rural Water will use the southern half of the new building. Its space will contain a workshop and pipe storage garage, a 38-by-22-foot meeting room with technology

for presentations, and offices. The center of the building holds shared restrooms and a break room. Computer plug-ins are plentiful, even in the shop area.

The building fronts on 15th Street, not far from the Dakota County Courthouse and just east of Dakota City's City Hall. Its glassed-in two-story foyer will flood the space with natural light. Another feature rural water customers will welcome is the drive-up window on the building's alley side, which is handy for paying water bills. There will also be a drop box for off-hours paying.

"It's going to be a showplace for Dakota City, one-stop shopping for tree programs, terracing, everything," Lance Olerich, the Dakota County Rural Water supply operator, said. "The farmers like the idea. If they

need papers from the courthouse they don't have to run into South Sioux City and back."

Altogether, about 14 people will work in the building. The city of Dakota City moved a shed that occupied Rural Water land immediately north of the building to make space for the staff to park, Hummel said.

The facility's architect is Prochaska & Associates of Omaha. The contractor is Halman Construction of Sioux City. Construction is set to be completed by June 1.

The Papio-Missouri NRD is comprised of the drainage area along the river from Dakota County to the area south of Omaha in Sarpy County.

Dakota County Rural Water also serves customers in Thurston and Washington counties.

Washington County landowners file suit against NRD

On Friday, March 11, a lawsuit was filed against the Papio Missouri River Natural Resources District (P-MRNRD) in Washington County District Court in Blair.

The plaintiffs, several Washington County landowners, allege that the P-MRNRD has violated its own competitive bidding standards in conjunction with a project commonly known as Dam Site 13, located between Omaha and Elkhorn.

The P-MRNRD's actions in creating financial benefits to private real estate developers are also attacked in the lawsuit, based on the theory that the P-MRNRD has exceeded the authority given to it by Nebraska statutes.

The landowners ask the court to put a halt to further P-MRNRD activity on Dam Site 13 until the legal issues raised in the suit have been answered by the court.

Blair-Tribune

TUESDAY, MARCH 15, 2005

BLAIR, NEBRASKA 68008

28 PAGES, THREE SECTIONS

75 CENTS

Local folks sue to stop NRD dam

By Keith Rydberg
Reporter

Several area landowners have taken legal action against the Papio-Missouri River Natural Resources District over efforts by the NRD and the Dial Realty Development Corporation to develop a dam site in the Papillon Creek Watershed. The lawsuit, filed Friday, March 11, in Washington County District Court, asks the court to stop a proposal by the NRD and Dial to develop Dam Site 13, which is located on 192nd Street between Dodge and Blondo streets in Omaha. Attorneys for both sides met with in chambers with Judge David Quist on Monday, March 14, but there was no word by press time of Quist's ruling on the request for a restraining order.

On Nov. 18, 2004, the NRD board of directors authorized Steve Oltmans, general manager of the NRD, to execute an agreement between Dial and the NRD to build Dam Site 13. The agreement gives Dial a written option to purchase adjoining land at a cost of \$63,671 per acre. Also, the agreement states that, by July 1, Dial will employ a single contractor to construct Dam Site 13 and a nearby housing development.

Plaintiffs in the lawsuit are rural Kennard residents William and Mari Japp, Todd and Jennifer Andersen, Kenneth and Dianna Olson and Jack and Susan Lorsch. Larry and Carline Stava of rural Bennington are also listed as plaintiffs in the case. LeRoy Sievers of the Knudsen, Berkheimer, Richardson and Endacott law firm of Lincoln is serving as the plaintiffs' attorney in the case.

Each of the plaintiffs declined to comment on the lawsuit, which lists three causes of action in which the plaintiffs maintain the agreement should be considered invalid.

The first cause of action maintains the NRD violated

SEE LAWSUIT PAGE 3A

LAWSUIT: End to dam work sought

FROM PAGE 1

its own rules and regulations as listed in the district's policy manual in a section which lists how the NRD should conduct competitive bidding, the plaintiffs maintain the manual states that if the price of an item is anticipated to be \$20,000 or more, NRD management is required to prepare detailed written specifications for the items and must allow for open bidding. When the district's board of directors approved the agreement with Dial, the plaintiffs maintain the NRD violated its own policy.

"To date, the P-MRNRD

has failed to follow the prescribed procedures of the manual and take bids on any expenses to be incurred by the P-MRNRD in the project proposed by the agreement for Dam Site 13," the lawsuit states.

The second cause of action requests the court determine the NRD did not have the authority to enter into an agreement with a private entity. Also, the lawsuit maintains the NRD violated state statutes and the Nebraska constitution by using public funds for private purposes in its contract with Dial.

The third cause of action maintains the plaintiffs will

be subjected to "extreme hardship by the illegal expenditure of their taxpayer money" for Dam Site 13's development and requests the court grant a permanent injunction against the NRD regarding the development of Dam Site 13. The plaintiffs also maintain there would be "little or no benefit" to landowners living within the NRD's boundaries if Dam Site 13 is built and that there is no other remedy of law to prevent the agreement from moving ahead.

Along with requesting the court rules in their favor regarding the three causes of action, the plain-

tiffs are also asking for an order in which the NRD would be required to account for all public funds already spent or scheduled to be spent as part of the agreement.

Oltmans said he was "disappointed" when he learned of the lawsuit and that, regardless of the verdict, the lawsuit will cause the Dam Site 13 project to be delayed.

"I don't believe those statements to be true," Oltmans said. "As far as their comment that taxpayers will have little or no benefit, that is their opinion and they are certainly entitled to their opinion."

Fort-Tribune

TUESDAY, MARCH 15, 2005

BLAIR, NEBRASKA 68008 28 PAGES, THREE SECTIONS 75 CENTS

Subdivision may join rural water plan

By Keith Rydberg
Reporter

Residents in the Shannon Estates subdivision between Blair and Fort Calhoun will soon be asked to determine where they want their water to come from in the future.

At their Thursday, March 10, meeting, the Papio-Missouri River Natural Resources District's board of directors voted unanimously to send surveys to the 33 homeowners in the subdivision located along portions of county roads P35, P28 and P37 west and north of Fort Calhoun. The surveys will serve to determine whether residents of the subdivision are interested in having their houses connected to the NRD's rural water system once construction starts later this month.

Dick Sklenar, manager of the rural water project, said the surveys will be sent immediately to the residents, who are asked to return them to the NRD by April 1. If at least 20 of the

homeowners in the subdivision express an interest in joining the rural water system, a four-mile extension will be added to the 36 miles of pipeline that will be used in the main portion of the system. Sklenar said the cost of the extension has been estimated at \$306,000 with the city of Blair and the NRD already agreeing to share the cost of extending and oversizing the water line if enough interest can be found to make the extension feasible. The city has already reached an agreement with the NRD to provide water to the 270 households that will be on the main portion of the system.

Blair City Administrator Rod Storm explained the matter regarding the subdivision started approximately two weeks ago when the city, which currently supplies water in bulk to the subdivision, was informed the subdivision was in violation of state water regulations. Because there are more than 15 water con-

nections in the subdivision, the subdivision is required to meet the standards of a public water system and must have a certified water operator and conduct chlorination tests at least five times a week similar to a city or village. If the subdivision were to join the NRD system, such requirements would not be necessary because the NRD would be responsible for maintaining water quality.

Storm also said the city of Blair would also benefit if the homeowners choose to join the NRD system because the extension would allow the water distribution system from the city to connect the southernmost water line with the water main on U.S. Highway 75 that would create a loop rather than having "dead ends" along the

distribution system that would increase the chances for groundwater contamination.

Also, the looping will allow for more constant water pressure and increased flow near the southeast edge of the water main near the Omaha Public Power District's Fort Calhoun station on U.S. Highway 75.

"Something needed to be done at Shannon Estates and we wanted to increase the pressure in that area by eliminating the dead ends," Storm said. "It makes sense if we can work together with the NRD to make a tie-in across the area because we can essentially kill three or four birds with one stone. Working together, we can do this more economically than if either of us were to do this separately."



Deb Gengler-Copple of Hubbard, Neb., won the Nebraska Game and Parks Commission habitat stamp contest for the third time. Her painting of two bighorn sheep will appear on the 2006 stamp.

Bighorn painting selected for stamp

By LARRY PORTER
WORLD-HERALD BUREAU

LINCOLN — A painting of two bighorn sheep by Deb Gengler-Copple of Hubbard, Neb., has been selected to adorn the Nebraska Game and Parks Commission's 2006 habitat stamp.

It was the third habitat stamp competition won by Gengler-Copple. Her painting of a white-tailed deer was used on the 1997 stamp, and her painting of a bull elk appeared on the 2004 stamp.

Tammy Crosby, who oversees the competition, reached Gengler-Copple on her cell phone to inform her that the commissioners had selected her painting.

"Deb was driving home from Sioux City," Crosby said. "She

was so excited that she had to pull off the road."

Gengler-Copple knew last fall that she would submit a painting of bighorns for the stamp competition. She and her son, Kyle, 12, went to Fort Robinson State Park to learn more about the sheep and their habitat from biologists Lon Lemmon and Dean Studnicka.

"Lon and Dean took us out and spent a whole day talking about the bighorn and the reintroduction program," Gengler-Copple said. "I learned a lot from them. Lon told me he would like nothing better than to have a bighorn sheep on a habitat stamp."

Gengler-Copple had four stamp designs in mind. She sketched all four and laid them on the floor. Then she asked Kyle

to pick his favorite. Her husband, Stan, also picked out a favorite.

"I went with Kyle's pick," Gengler-Copple said. "That's one reason I'm so excited. Kyle went with me last fall, and he feels that he is a part of this. We went hiking together over some of that rough terrain, and it really makes this special for me."

Paintings of two whooping cranes by David Dorsey of Newport, Neb., and a bobcat by Julie Crocker of Chapman, Neb., were the other finalists.

Honorable mention was earned for paintings of wood ducks by Loren Goedecken of Hebron, Neb., a mountain lion by Jack Vitito of South Sioux City, Neb., and a green heron by Amy Jackson of Wayne, Neb.

NR-H

3-16-05

Discover Boyer Chute

Boyer Chute National Wildlife Refuge is neither the biggest draw nor the fanciest tourist attraction around the Midlands. But this project, one of the most peaceful natural spots along the Missouri River, holds its own.

The U.S. Fish and Wildlife Service, which manages the refuge, reported the results of a survey indicating that 95 percent of visitors to its wildlife refuge system are satisfied or very satisfied with their experience. And, according to Fish and Wildlife's Mike Ellis, the numbers at Boyer Chute track closely with that excellent average.

The survey also indicated that visitors strongly support Fish and Wildlife's efforts to conserve fish, wildlife and plant species, some of them endangered, at this and other refuges.

The chute, originally restored by the Papio-Missouri River Natural Resources District and turned over to the federal government to manage, is a 2.5-mile backwater of the

**Look, linger,
hunt, fish, hike,
observe birds,
watch wildlife,
enjoy nature.**

Missouri found north of Omaha near Fort Calhoun. The habitat includes riparian woodlands, tall-grass prairie and wetlands and is teeming with

birds, animals and other creatures that once overran this part of Nebraska.

Visitors to the chute can fish, hunt and hike. They can bird-watch or wildlife-watch. Photography is encouraged. And there's always a little environmental education going on.

Ellis reported that, in the past, the refuge has received between 16,000 and 20,000 visitors a year. He said last year's Lewis and Clark celebration, however, drew thousands more to the sometimes underrated facility. "I think we've been discovered," he said, noting that numbers this year already are on track to hit 25,000 visitors or more.

Now that spring is on its way, the refuge is becoming an even more enticing place to linger, look and enjoy. And thousands of Midlanders are finding that out.

Program would cut irrigation

3/16/05

It will pay farmers to not irrigate land along the Platte and Republican rivers.

BY ART HOVEY
Lincoln Journal Star

Gov. Dave Heineman, 3rd District Rep. Tom Osborne and other Nebraska officials plan to make Holdrege the Saturday setting for an announcement of a \$168 million program that would pay farmers to take land out of irrigation along the Platte and Republican rivers and their tributaries.

The program is a major departure from events of the past half-century that have made Nebraska the nation's leading groundwater irrigating state and the second-leading state in total irrigated acres.

Roger Patterson, state director of the Department of Natural Resources, said Tuesday the state was "almost there" with a 2004 funding request to the U.S. Department of Agriculture meant to take pressure off Lake McConaughy, Harlan County and other depleted reservoirs.

Under the terms of the Conservation Reserve Enhancement Program, the federal government would cover 80 percent of the \$158 million meant to convert irrigated cropland to grass and other forms of conservation cover for up to 15 years.

The other \$10 million would go mostly to the cost of grass seed.

"The total from the Platte and the Republican could be up to 100,000 acres," Patterson said.

This will be the first time a reserve program put in place in 1997 has been used to conserve river and stream flows.

Milt Moravec of the Central Platte Natural Resources District in Grand Island called the USDA help "a godsend."

That's because it comes at a time when water officials in central and western areas of the state are trying to resolve a situation in which heavy groundwater irrigation is blamed for depleting rivers, streams and reservoirs.

Good news arrives as Patterson's department, municipalities, the state's 23 natural resources districts and other vested interests work out the controversial details of sweeping new water policy put in place

last year.

LB962 allows the state to declare river basins overappropriated for the first time and to stop new irrigation development.

Moravec said Tuesday's news should not be regarded as a direct response to drought that has plagued some parts of the state for as long as six years.

"Even in normal years, the state is telling people that the Republican River basins are overappropriated and that parts of the Platte are overappropriated," he said, "and that those acres have to be cut back to where we have a balanced system."

Moravec also tried to squelch the notion a request pressed at USDA last summer by then-Gov. Mike Johanns was granted largely because Johanns moved behind the agriculture secretary's desk.

"This whole thing was in the works prior to that ever happening," he said.

Moravec said Osborne deserves much of the credit for the irrigation rollback incentives.

Two farmers who farm near the Republican River said Tuesday that payments of as much as \$125 per acre may not be enough to bring the 100,000-acre goal within reach.

Robert Ambrosek of Haigler said another \$25 might make a bigger impact. At \$125, he predicted farmer interest would be limited to "some of the area that's in small pieces and hard to farm along streams. If it was more in the \$150 area, it would probably attract a little more interest."

Randy Peters of McCook said \$200 might be more realistic. "I think they'll get some acres and I think what they're doing is the right thing," Peters said. "But to get to enough acres to make a difference, they need to make the bid higher."

Moravec also suggested the best response would come on acres that rent for less than prime irrigated rates.

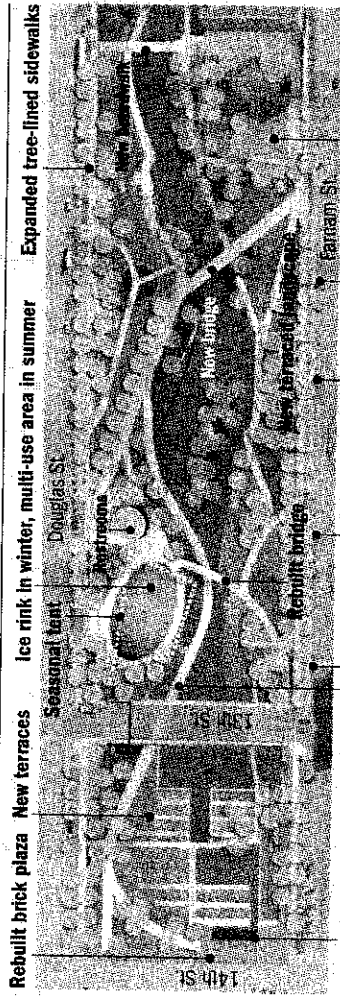
An example of an incentive candidate might be a farmer who's ready to retire and rent out his holdings.

"If he would like to guarantee that he will have income off the land for the next 15 years, and he's also concerned about wildlife habitat, he may be very willing to sign up his land, turn it back to grass and get a 15-year payment."

Reach Art Hovey at (402) 523-4949 or ahovey@alltel.net.

More people appeal proposed

Gene Leahy Mall master plan



New fountain visible from street
SOURCE: Michael Van Valkenburgh Associates

By MICHAEL O'CONNOR
AND C. DAVID KOTOK

WORLD-HERALD
STAFFWRITERS

Karen Levin starts her days with a walk through Gene Leahy Mall for exercise, but she never feels completely relaxed.

"I do feel vulnerable," said Levin, who lives nearby in the Old Market.

Safety is one issue addressed in a plan unveiled Tuesday for breathing new life into the 30-year-old mall.

Old Market residents and business owners praised the

plan, saying it would keep alive the spirit of the park while making it safer, more accessible and more alluring to people from across the city.

A winter ice rink, playground, wide paths, three bridges, more visibility.

"It's really a rebirth," said Valerie Abbott, co-owner of the French Cafe and vice president of the Old Market Business Association.

Levin, who is vice president of the Old Market Downtown Residents Association, said the changes would make the park more inviting.

Omaha World-Herald Page 3

Mall: Plan would improve safety, add attractions

Continued from Page 1

Business owners were particularly happy with bridges and other elements that would make the park a better link between the Old Market and the Holland Performing Arts Center.

The changes would cost \$14 million. For an additional \$29 million, 11th Street would take on the look of the Old Market from Farnam to Leavenworth Streets.

Michael Van Valkenburgh, the New York- and Boston-based architect whose firm prepared the plan, said it is geared to "taking the Leahy Mall to the next level."

The mall was created as "an engine for economic development," Rex Fisher, chairman of

be appealing to private donors. The ice rink, for example, could be named for a donor, as could the new playground.

City officials acknowledged that finding donors to rebuild streets or install large flower pots might be tougher.

The design contains easy north-south connections that would make people feel safe at night as they left the Holland Performing Arts Center for the Old Market, said Elwin Larson, the HDR Inc. executive who led the mall project.

The current bridge east of 13th Street would be replaced. It is so low that it is not considered accessible or safe. And it can't support the weight of a large number of people, so it is closed during

popular events such as the Holiday Lights Festival.

Aspects such as the waterfall and the lagoon would remain, although the lagoon would be narrower.

The ice rink would be kept frozen in winter, instead of relying on nature to freeze over the lagoon.

A kiosk would house skate and rink-time rentals, refreshments and restrooms. Picnic tables and benches would replace the ice in summer, providing a venue for small concerts and other entertainment.

The \$130,000 master plan was financed by Omaha By Design with private donations and support from the city's parks and public works staff.

Residents

sue to 3-18-05

stop dam project

By MARION RHODES

WORLD-HERALD STAFF WRITER

BLAIR, Neb. — A group of Washington County landowners has sued to stop the development of a dam near 192nd Street and West Dodge Road.

The dam would create a 58-acre lake that is part of proposed signature park for west Omaha.

The recreational area is a joint project of the Papio-Missouri River Natural Resources District and Dial Realty Development Corp. of Omaha.

The lawsuit says the NRD violated its procedures and acted illegally by entering into a partnership with a private firm.

The lawsuit says the project, near 192nd Street and West Dodge Road, is illegal.

The suburban lake is the first of up to 10 flood control reservoirs the NRD hopes to build this decade.

Two larger lakes proposed for Washington County would flood roads, homes and farmland.

The lawsuit was brought by William and Mary Japp, Todd and Jennifer Andersen, Kenneth and Dianna Olson, and Jack and Susan Lorsch, all of Washington County, and Larry and Carine Stava of rural Bennington. William Japp is president of the Papio Valley Preservation Association, a nonprofit organization formed to fight the dams.

LeRoy Sievers of Lincoln, who represents the landowners, said fighting the NRD now will help landowners battle other dams later.

"If it's not approved now, it wouldn't be approved later," he said.

The NRD board approved the partnership in November to develop Dam Site 13 in west Omaha. The area would provide flood control for about a two-square-mile area along a West Papillion Creek tributary.

City Parks Director Larry Foster has said the park would be a

See Dam: Page 2

Dam: NRD calls reaction to project disappointing

Continued from Page 1

gathering place, with opportunities for concerts and fireworks similar to Memorial Park. He declined to comment on the suit.

The project is estimated to cost about \$6.2 million. The NRD would pay Dial \$2.3 million to build the dam. Dial, in turn, would contribute \$1 million to the NRD. The district approved a 1-cent property tax increase last year to fund the project.

Sievers said the NRD has no

right to use tax money for the project.

The lawsuit alleges that Nebraska statutes don't explicitly allow such partnerships with private companies.

NRD general manager Steven Oltmans said the district has engaged in public-private partnerships before, including on a dam near Bennington in 2002.

"I think what we're arguing about here is policy," Oltmans said.

The lawsuit also alleges that the district violated its rules by failing to take competitive bids. The directors' policy manual requires bids for projects of more than \$20,000.

The lawsuit further alleges that using taxpayer money to fund the project violates the Nebraska Constitution.

The agreements between the NRD and Dial "do not serve the public interest and stand to benefit the involved private entity,

Dial, significantly more than the public," according to the lawsuit.

Oltmans said that the district disagrees and that he was disappointed the landowners believed the lake would not benefit the public.

Dial has asked to have the case transferred from Washington County District Court to Douglas County because of the dam site's location. A hearing on the issue is scheduled for Monday.

Set-aside deal touted as wildlife rejuvenator

3-20-05

By CHRIS CLAYTON
WORLD-HERALD STAFF WRITER

HOLDREGE, Neb. — A massive set-aside of Nebraska farm acres may mean fewer seed and fertilizer sales in small towns, but the resulting boon to wildlife could spark a better hunting and recreational economy.

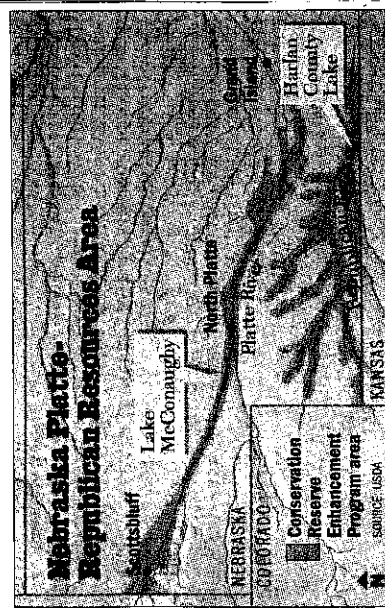
That was the hope expressed Saturday as federal and state officials held a signing ceremony near here for a new program that envisions taking 100,000 acres of irrigated farmland out of production along the Platte River and Republican

River basins in order to recharge key reservoirs and help alleviate the depletion of rivers and streams.

About 120 people attended the ceremony at the Nebraska Prairie Museum for the program, which will spend \$158 million over the next 15 years to create prairies, wetlands and wildlife habitat.

"It's not a cure-all, but this agreement is a step forward in addressing our water-resource issue," said Gov. Dave Heineman.

Under the U.S. Department See **Water:** Page 2



DARRELL FORBES/THE WORLD-HERALD

Water: Irrigated land to be set aside from farming

"I think this part of the world ought to be a major hunting destination again."

Rep. Tom Osborne, R-Neb.

widely in the area, but the average producer would receive about \$125 an acre. That, along with the rising costs of growing a crop, should increase the appeal for producers.

the lowest water levels of its existence.

Setting aside 100,000 acres also would spark more wildlife such as pheasants and other ground-nesting birds and enhance the region's status among hunters. Modern farming and government payment programs to farmers have taken away some of the wildlife habitat in recent decades and caused hunters to go elsewhere, Osborne said.

Gaibler credited U.S. Rep. Tom Osborne, R-Neb., for pushing the USDA to approve the project.

"He was really the catalyst that brought all the parties together to make this partnership a reality," Gaibler said.

While agriculture drives much of the state's economy, Osborne said, it's also critical for economic development and tourism to recharge reservoirs such as McConaughy, which in recent years has seen some of

"There's going to be a lot of interest in it," said Nelson Trambly, a Cambell, Neb., farmer and chairman of the Lower Republican Natural Resources District board.

Saturday's ceremony also was a joint appearance for two potential Republican rivals in the 2006 race for governor. Osborne has not announced his political intentions, but is believed to be interested in a run for governor, an office Heineman stepped into when former Gov. Mike Johanns was appointed U.S. secretary of agriculture earlier this year.

Osborne and Heineman said they didn't have an interest in discussing their political futures Saturday.

"Tom and I are good friends, and we're both going to continue to do our jobs," Heineman said.

"I think this part of the world ought to be a major hunting destination again," he said.

The program will pay farmers the average of the local irrigated cash rental rates in their counties, which is more than they would be paid under the standard Conservation Reserve Program. Rental rates can range

The flood of possibilities they don't want

3-21-05

■ A proposal to build dams to help with flood control in Omaha could leave some homes in Washington, Neb., under water.

By MARION RHODES
WORLD-HERALD STAFF WRITER

WASHINGTON, Neb. — Patricia Campbell watches a horse ride by her living room window.

Less than a block away, Jennifer Welchert yells for her dog, and the black lab comes running out of the bushes, across the town's quiet main street back to his home.

In front of Knudsen Oil and Feed, a mail delivery man asks LeMara Eicke how to get to Bernie's house and promptly receives directions.

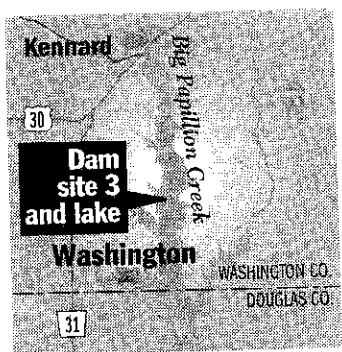
It's a typical morning in the village of Washington, a bedroom community of about 150 people that lies 22 miles northwest of downtown Omaha.

Residents go about their day, seemingly oblivious to the looming threat to the town where many of them were born.

Within a decade or so, nearly half of Washington could be under water. The Papio-Missouri River Natural Resources District has proposed two massive lakes in the area to reduce flood potential in west-central Omaha and eastern Sarpy County.

The larger, nearly 1,900-acre lake would inundate 26 properties in town. Seventeen more could be affected in case of heavy rainfall that would make the water level rise, possibly flooding yards and basements.

Washington residents are certain the large lake would ruin the village — valued for its closeness to Omaha and its easy access to nearby farm fields. Both commuters and farmers enjoy the town's country atmosphere.



THE WORLD-HERALD

They fear that they wouldn't be getting a nice lake but a muddy arm of shallow water in front of their doors. Many farmers would be cut off from their land to the east, forcing them to drive miles to get to their fields. Those conditions would not make the area attractive for people to rebuild.

"They've pretty much taken our houses and left us nothing," Campbell said. "They left us the mosquito patch."

Marlin Petermann, the NRD's assistant general manager, tries to ease those worries, saying the resulting lake would be as deep as other metro-area lakes.

"That seems to be attractive," he said.

Petermann said the district would have preferred to build the dams without affecting any homes but said the current proposal would allow the most flood control.

He said the district would meet with area residents if plans move forward. For now, he said, the district is focusing on other dam sites.

Washington started as a rail-

road town in 1887, a stop on a shortcut route from Arlington to the South Omaha stock yards. Its population has fluctuated greatly over the years.

Businesses have come and gone, the railroad depot has left, and the town has lost its social gathering places, most recently its post office. Only a farm store, an antiques store and a few home-based businesses remain.

Residents have struggled to keep a sense of community, especially after the town's school closed in 1999.

"It used to be we knew every child in town and every dog," said Eicke, who was born in Washington in 1935.

"Now I don't know my neighbor," said Campbell, who has lived here 35 years.

Still, people here believe their town is worth fighting for. Many have joined the Papio Valley Preservation Association, a nonprofit group that in the 1980s successfully defeated plans for a similar dam project.

The association held an informational meeting Saturday in Kennard, four miles to the north, where 26 properties could be affected by high water. Several members have filed suit against the NRD to try and stop the building of a similar dam in Douglas County, which would be the first of the district's 10 proposed dams.

"We're not the Norman Rockwell life we used to be, but we're still pretty calm and peaceful," Campbell said. "You have to live here to feel it."

Welchert, a hair stylist who grew up in Washington, said the town is the perfect place to raise children. Her 19-month-old son, Josh, is the fourth generation of her family currently living in town.

"It's laid back. We don't have any problems. Every once in a while, we have problems with neighbors — 'The dog's barking too much' — but nothing too big," she said.

Lorene Andersen, whose home might have to be bought out or moved should the dams be approved, remains optimistic.

"We're hoping we can stop it," she said of the project. "We've done it once before."

Rural water work begins

By Keith Rydberg
Reporter

*Pilot 3-22-05
Tribune*

With the official arrival of spring and improved weather conditions, work has begun on constructing a 36-mile rural water distribution system in the county.

Work on the \$2.54 million project, which is being developed through the Papio-Missouri River Natural Resources District, began March 15 with crews from BRB Contractors in Topeka, Kan., working approximately one mile south of Blair on Nebraska Highway 133. Two BRB crews are presently boring into the ground and installing pipeline that will be used to distribute water from Blair to 240 residences located between Highway 133 and U.S. Highway 75. Utility companies are also working to stay one step ahead of the pipeline installation by marking and, if necessary, relocating telephone, electrical and gas lines that could be affected by the pipelines.

Red Sparks, superintendent of BRB Contractors Inc., said while weather conditions were the primary factor in determining when work could begin on the project, work is proceeding on schedule and should be completed in time for the July 31 construction deadline.

"The weather played a factor with us earlier this year as to what we could and could not do," Sparks said. "We spent most of the winter receiving materials. Hopefully, the weather will remain good and we won't have any delays."

While Sparks said BRB workers have sometimes had to wait for utility companies to mark and relocate lines before they can proceed, he plans to have workers install pipelines throughout the entire length of the distribution system once work begins in earnest April 1. After April 1, Sparks said the construction may require short-term road closings in certain areas near the distribution system and said he will be meeting with Washington County Road Superintendent Alan Doll in the future to discuss the possible closures. If the work requires county roads to be closed, Sparks said affected homeowners will be notified as soon as possible.

Sparks also said while work remains on a pump station located on 17th Avenue in Blair that will pump water from Blair to a 1 million gallon watertower which is being constructed on Highway 133, those uncompleted projects should not interfere with the pipeline installation.

"The status of those projects is not really a con-

SEE WATER PAGE 3A *

WATER: *Rural lines go in this year*

FROM PAGE 1

cern for us because the pipeline will have to be installed before water can flow to the watertower and the pump station anyway," Sparks said.

While work proceeds on the pipeline installation, a representative from HGM Associates, a consulting firm hired by the NRD, is supervising the work and reporting back to the NRD on a regular basis.

Chris Koenig, project manager for HGM Associates, said the HGM inspector is primarily concerned with making sure BRB is compliant with the project's guidelines regard-

ing the pipelines and the installation of fire hydrants on the branch lines. But other HGM representatives will stay in touch with nearby landowners to ensure they are not unduly affected by the construction.

The NRD will also send landowners quarterly newsletters informing them of the construction progress.

"We are keeping them informed about the project because they are the ones who will be most impacted by this," Koenig said.

Koenig also said work on both the pump station and watertower is proceeding

ahead of schedule with both projects tentatively scheduled to be completed within the next month. Construction of the pump station is being done by workers with Pospichal Construction of Waterloo. At the watertower site, located approximately one mile south of Blair on Highway 133, workers from Landmark Construction of San Antonio, Texas, are expected to complete work on the dome of the tower in April.

This winter, workers were fabricating steel and conducting preliminary work on the dome at its San Antonio headquarters.

Much of their work at the site will involve attaching the dome to the base of the tower, which is already completed.

Dick Sklenar, project manager for the NRD, said, like Sparks, he is confident the entire project will be completed by the end of July and that the possibility of weather delays were taken into consideration when the construction schedule was set.

"We are still planning to have substantial completion of the project by July 31," Sklenar said. "This is about the time we envisioned work would begin on the project."

Judge says group's bid to stop dam was too late

3-24-05
By TOM SHAW

WORLD-HERALD STAFF WRITER

A judge on Tuesday denied a temporary restraining order sought by landowners fighting to stop a dam from being built on the western edge of Omaha.

Douglas County District Judge Richard Spethman ruled that several Washington County landowners and a Douglas County landowner were too late in seeking the restraining order. They did not file within the required 30 days after a development agreement was finalized Nov. 18.

The landowners contend that the Papio-Missouri River Natural Resources District should not be allowed to form a partnership with a private firm to build a dam near 192nd Street and West Dodge Road. The dam would form a 58-acre lake as part of a signature park for the city.

NRD General Manager Steve Oltmans said he was pleased with the ruling.

The NRD plans to create additional dams and lakes, including two large lakes in Washington County. The landowners' attorney, LeRoy Sievers, has said a ruling against the NRD would set a precedent that could help landowners fight other dams.

Sievers could not be reached Wednesday for comment.

The landowners sought a restraining order to stop planning and development while the issues raised in the lawsuit were argued in court. The NRD said stopping all progress would put land purchases in jeopardy.

The west Omaha project would cost an estimated \$6.1 million for the NRD to obtain land and build the dam. Dial Realty Development Corp. of Omaha would contribute \$1.4 million. The firm would develop much of the land overlooking the lake's north side.

World-Herald staff writer Marion Rhodes contributed to this report.

FRIDAY, MARCH 25, 2005

Landowners' lawsuit against NRD dam project dismissed

By Keith Rydberg
Reporter

A lawsuit filed by landowners in Washington and Douglas counties regarding the construction of an Omaha dam was dismissed in Douglas County District Court this week after the judge hearing the case determined the landowners had taken too much time to file their complaint.

The case was dismissed Tuesday, March 22 after Douglas County District Court Judge Richard Spethman determined landowners waited too long to file their complaint in Douglas County.

Spethman's judgment explained the landowners only had 30 days to file their complaint in Douglas County after the directors of the Papio-Missouri River Natural Resources District approved a resolution November 18 between the NRD

and the Dial Realty Development Corporation. Tuesday was the first day the case was heard in Douglas County after it was originally filed March 11 in Washington County. On Monday, Washington County District Court Judge David Quist approved a request from attorneys representing Dial that the venue of the case be moved from Washington County to Douglas County.

Jeff Farnham, one of the attorneys representing Dial, said he and the other attorneys representing the corporation fought for the change of venue because they believed the Washington County District Court had no jurisdiction in handling the case with the dam's location to be on 192nd Street in Omaha. Farnham also commented he was pleased with the dismissal and that he and Dial

had always considered the claims made by the plaintiffs to be unjustified.

"We didn't feel the case had any merit," Farnham said.

Bill Japp, a plaintiff in the case and the president of the Papio Valley Preservation Association, an opposition group dedicated to fighting dam construction in the Papio Creek Watershed, said the landowners have not given up their fight and are presently working with their attorney, LeRoy Sievers, to determine what the next step should be.

"There are several different options we are considering," Japp said. "We will probably know more in a few days."

Along with Bill and Mari Japp, plaintiffs in the case included rural Kennard residents Todd and Jenni-

SEE SUIT PAGE 3A

The final complaint in the lawsuit stated the plaintiffs would be subjected to "extreme hardship" by the dam's construction with "little or no benefit" to landowners who live within the NRD's boundaries. The plaintiffs had also asked for a court order requiring the NRD to account for all public funds that had been spent and was expected to be spent on the dam construction.

Steve Oltmans, general manager of the NRD, said now that the lawsuit has been dismissed, the dam construction and the land development are both scheduled to be completed by December 1 although the land development is somewhat dependent on the city of Omaha as to when construction may begin.

Regarding the lawsuit, Oltmans said he was satisfied with the decision and that the lawsuit was simply the result of differing opinions between the NRD, Dial and the landowners.

"We always try to do the best work we can and we believe we were following statutory authority," Oltmans said. "I personally think the landowners were arguing policies rather than statutes but that is my opinion and the landowners are certainly entitled to theirs."

SUIT: Judge
says time ran
out already

FROM PAGE 1

for Andersen, Kenneth and Dianna Olson and Jack and Susan Lorsch and Bennington residents Larry and Carine Stava, who maintain the actions taken by the NRD and Dial at the November 18 meeting were in violation of the district's own regulations.

The plaintiffs maintain the NRD's policy manual states if the price of an item is anticipated to be \$20,000 or more, the NRD's management is required to prepare detailed written specifications of the items and must allow for open bidding. Construction of the dam is expected to cost \$1.5 million.

Also, the plaintiffs stated the NRD did not have the authority to enter into an agreement with Dial because Dial is a private entity. By entering into an agreement with Dial, the plaintiffs maintain the district violated state statutes and the Nebraska constitution by using public funds for private purposes.

Funding approved for Leigh dam

3-25-83
BY DAVID HENDEE

WORLD-HERALD STAFFWRITER

COLUMBUS, Neb. — Boosters of a proposed recreational reservoir near Leigh in northeastern Nebraska won a victory Thursday when a state agency approved \$3.5 million for the project.

Nebraska Natural Resources Commission approval came despite organized opposition and questions about the project's economic feasibility.

"We plan to see it through," said Stan Staab, general manager of the Lower Elkhorn Natural Resources District.

The district is co-sponsoring the project with the Village of Leigh, which asked the NRD five years ago to study the feasibility of resurrecting an old plan for a reservoir.

The \$6.4 million project would create a 150-acre recreational and flood-control reservoir on the West Branch of Maple Creek.

Opponents are not giving up. About 150 turned out Wednesday night at a commission committee meeting in Columbus and about 40 returned Thursday to witness the vote. They wore

"Leigh Dam" stickers with a red slash through the words.

Attorney Stephen Mossman of Lincoln, representing opponents, said he will watch to see if the Nebraska Department of Natural Resources holds the NRD accountable for recalculating the economic feasibility of the project.

"Pardon the pun, but that could put this thing under water," Mossman said.

The department requires that a project have at least a 3 percent rate of return based on the economic value of recreation and flood control.

Mossman said the project application shows a 3.54 percent rate of return. More accurate costs for land and construction expenses lower the figure to 3.018 percent, he said.

"It's voodoo," Mossman said.

Mossman said a recommendation from Roger Patterson, director of the State Natural Resources Department, was so tepid that it would read the same if Patterson substituted the word "denied" for "approved."

Mossman said there also is a chance that Platte County could refuse to allow the NRD to raise the elevation of a road along the lake.

Opponent Robert Callies of Leigh, who lives about a mile downstream from the proposed dam, said a study indicating the lake would attract an average of 292 recreational activities every day of the year is not believable.

Shawn Heitz of Leigh, whose father would lose about 200 acres of farmland to the project, said it is an abuse of power to take private property for recreational projects.

Staab, the NRD general manager, said final design of the project should be done at the end of summer. He said he has 1,600 letters on file in support of the project.

Nearby Maskentine Lake at Stanton and Willow Creek Lake at Pierce are significant economic development attractions for those communities, Staab said. "These kinds of projects have that potential if people will have some vision," he said.

X The commission also authorized NRDs to prepare feasibility reports and applications for two other lake projects in eastern Nebraska — one on Kezan Creek near Garrison in Butler County and another on Jones and Pigeon Creeks near Hubbard in Dakota County.

Washington County talks of rural crowding

3-25-05

By MARION RHODES
WORLD-HERALD STAFF WRITER

BLAIR, Neb. — Mark Newstrom always dreamed of living in the country.

Ten years ago, he and his wife, Vicki, exchanged their Omaha home for about 10 acres in Washington County overlooking scattered houses and miles of fields to the north, east and west.

But the view is changing to the south of their home, about five miles south of Blair on Nebraska Highway 133. Subdivisions are closing in on their acreage.

More people are discovering Washington County as a rural hideaway with easy access to Omaha. The widening of Highway 133 between Omaha and Blair from two to four lanes and the installation of a central water system are expected to increase the attractiveness of the county's southeast corner to commuters.

The county's new comprehensive and zoning plan. See Acreages: Page 2



REBECCA S. GRATZ/THE WORLD-HERALD

Mark Newstrom and his wife, Vicki, bought 32 acres adjacent to their 10-acre lot on Nebraska Highway 133 in Washington County to keep some control over development.

What's next

Washington County has scheduled proposed revisions to its comprehensive plan. Two public hearings are planned: April 14 before the Planning Commission and April 26 before the County Board.

Acreages: County revising comprehensive plan

Continued from Page 1
ing plan, which could be adopted in April after a five-year process, contains measures to preserve some of the country atmosphere that draws people north of the Douglas County line.

While land-use regulations for the county's north and west basically would remain the same, the plan would provide a compromise in the southeast between accommodating growth and preserving the area's rural character.

Proposed zoning and subdivision regulations would require subdivisions to connect to a central water system if lots are smaller than five acres. But with the new water distribution system expected to be running by fall, the Newstroms knew

that wouldn't keep a developer from putting "a bunch of houses on two-acre lots" in front of their windows. Two acres is the minimum lot size required for subdivisions with a central water connection.

Developers' increasing interest in nearby property prompted the Newstroms to take action.

They bought the 32 acres next to their house and drew up their own subdivision. The development, tentatively called Richland Estates, will be broken into five lots of five acres each.

Commercial developers, on the other hand, would like to see smaller lots. Ron Henn, who is building his fourth subdivision in the area, said two acres is still more than many rural dwellers want.

The new zoning regulations

also would create a retail zone at the Lakeland corner at Highway 133 and County Road 34, an area sometimes referred to as the county's third-largest town because of the nearly 450 homes in area subdivisions.

The district would allow businesses such as convenience stores, retail and video stores, banks and restaurants.

Henn said a survey in 2000 showed that 80 percent of area residents were in favor of commercial development.

A business park near the Blair airport would allow airport-related enterprise, such as hotels, restaurants and office buildings for firms that require airport access.

An industrial commercial center near Nashville along Highway 75 would allow mainly agricultural, manufacturing

and wholesale operations.

The county has tried to preserve its agricultural roots. Acreages in the southeast have to be larger than 10 acres.

But farmers such as Martin Hoer question whether the 10-acre limit is preferable to allowing smaller acreages. Hoer raises cattle on 38 acres near the Blair Airport.

"Ten acres isn't big enough to farm, but it's too big to mow," he said. "If you got 10 acres, you got nine acres of weeds growing."

Hoer said he has learned to accept that his neighborhood won't look like it did when he bought his land 26 years ago.

"We're just starting to crowd each other more than anyone wanted it to be," he said. "I guess within five years, it's going to look like Maple Street."

Cities speak up on water

Officials say irrigators have too much say on policy

By DAVID HENDEE

WORLD-HERALD STAFF WRITER
3-28-05

A push for Gov. Dave Heineman to reduce the influence of irrigators on the State Water Policy Task Force is spreading to more Nebraska communities.

"The deck is stacked," said McCook City Manager John Bingham. "Cities, towns and villages must absolutely have representation on that task force."

Sidney's City Council started

the campaign two weeks ago, approving a resolution that called on Heineman to restructure the board by allowing proportional representation for people who live in municipalities.

Kimball's City Council approved a similar resolution last week. Gering's City Council is to vote on the issue tonight.

Governing boards in Bridgeport, Gordon, McCook and Ogallala also are expected to consider the question in coming weeks,

according to city officials.

Irrigators or those with irrigation interests control 38 of the 49 seats on the task force that developed Nebraska's new water law, the city officials say. That includes two of the five seats that represent municipalities, the officials said.

Irrigators represent less than 1 percent of the state's population, and 80 percent of all Nebraskans live in a municipality, the cities say. Nebraska irrigators

use about 97 percent of the state's groundwater.

The communities raise legitimate concerns, said Aaron Sandorf, the governor's spokesman.

"But at this point," he said, "the governor thinks those issues are better resolved between the Department of Natural Resources and the League of Nebraska Municipalities."

The water task force was created.
See Water: Page 2

Water: Communities want greater say on policy

Continued from Page 1

ated by the Legislature to gather information and develop policies that last year became Legislative Bill 962, the state's new water law. The makeup of the panel was determined by the Legislature, and its members were appointed by then-Gov. Mike Johanns.

Kimball's resolution asked Heineman to grant proportional representation on the task force for city dwellers, especially those from areas that face water shortages or contamination.

"We want to keep Nebraska strong as an agricultural state, but we need room for municipalities to grow," said Kimball City Administrator John Goodell.

Gering's resolution asks Heineman to remove appointees who occupy seats on the task force reserved for city representatives but who have "an overwhelming conflict of interest" in farm irrigation.

Gordon City Manager Fred Hlava said the task force should equally represent all business sectors of the state.

"If the state is going to have economic stability and growth," he said, "it will be based on the success of business and economic development in the rural and urban centers — and this growth will be based on the availability and use of water."

Hlava said agricultural manufacturing and Main Street business jobs would help stop the population decline in rural parts of the Great Plains.

"Ag-related manufacturing and business can be part of this growth, but . . . they're going to need water," he said.

Finley deGraffenried, city administrator in Bridgeport, said he is not convinced that municipalities can rely on the current task force to help communities solve water problems.

"We're out here screaming at the top of our lungs, and nobody's listening," he said.

DeGraffenried said his community has a good relationship with its natural resources district, which regulates groundwater, the source of Bridgeport's water. "But it's an untested relationship."

A City Council committee in South Sioux City decided against asking at today's council meeting for a task force shake-up, but it will vote on a resolution in support of LB 708. That bill would exempt communities from well-drilling regulations for domestic water.

Lance Hedquist, the city administrator of South Sioux City, said city leaders don't want to create conflict with the local natural resources district.

Bingham, the McCook city manager, said he hears some colleagues say that the task force question is a "Sidney is-

sue" without wider concern.

"Their time is coming," he said. "If the makeup of the task force doesn't change, a lot of people in this state will learn that this is not a Sidney issue."

Sidney has wrestled with a combination of water quantity and water quality problems, including public disputes with its natural resources district.

Sidney led an unsuccessful effort to win approval of LB 708 this year. Legislators didn't advance the bill, saying the issue should be taken up with the water policy task force.

"It makes us nervous to take it to the task force," Bingham said. "We'd like to have some representation. We have people on the task force who sell (irrigation) pivots or raise irrigated corn for a living."

"That's wonderful, but how about a McDonald's or Wal-Mart manager, or a baker or, heaven forbid, a city manager?"

OMAHA DAILY HERALD FOUNDED 1865
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New law no answer

Nebraska lawmakers should at least temporarily suspend debate over a proposed law to exempt cities and towns from regulations on drilling wells for domestic uses. The problems it aims to fix can and should be resolved without a quickie change in water law.

The State Water Policy Task Force is meeting with the League of Nebraska Municipalities and cities to find an answer. The task force has worked effectively in the past and deserves a chance to address this latest challenge, too.

First, a side issue: Sidney, Neb., officials have claimed that the task force is packed with irrigation interests to the detriment of municipal concerns. Indeed, many members of the 49-member task force are irrigators, answer to boards or agencies involved with irrigation in some way or have family members in those situations. Two of the five members who represent municipalities also are irrigation farmers.

However, the task force does not operate on a majority vote. Its decisions are governed by consensus. All 49 members must agree in order for a decision or recommendation to become official. One member can, for any reason, stop the process until his or her concern is addressed.

It is clear from the reports of some task force members and decisions reached that the group did operate fairly and equitably. Many members (including municipal representatives) used the consensus mechanism to resolve differences. Sidney officials' charge of bias or undue influence is without foundation.

The municipalities' problem with the water law produced by the task force and approved by the Legislature last year is fairly simple. Communities want a sure supply of water for domestic use that is not subject to being taken away by another user — say, irrigated agriculture. This is a reasonable request.

However, Legislative Bill 708 unwisely overbalances the interests of municipalities at the expense of other water users around the state.

Nebraska water task force is the group to trust to fix competing water interests.

The water debate is most acute in fully appropriated and over-appropriated water basins, where every drop of water has been claimed. Under those circumstances, any

water user that wants to grow — whether it be a municipality with a proposed new subdivision or an irrigator wanting to put in 300 more acres of corn — finds itself in the uncomfortable position of having to take water from someone else.

There are better ways. A toe-to-toe battle between communities and other water users is not inevitable. Let the task force, working with municipalities and other interests, specify those ways, or at least some of them. Few specifics are on the table yet, but some of the ideas floating around include:

- The establishment of baseline water use for each municipality that sets a minimum to which it is entitled. Water-conservation efforts would give a community extra water for new uses.

- Annexation of irrigated water acres. The water consumed by those acres could be added to the municipality's base. The water used to irrigate one acre of ground yearly with one foot of water would provide four people per year with water for domestic use.

- Purchase. A community could decide to pay a farmer, say, not to irrigate some acres. Or it could contribute to installation of a more efficient, water-conserving irrigation system and get in return the water saved.

- Embrace a water bank. A water bank is often supported by users such as irrigators, who contribute a few cents per acre into a fund to buy blocks of water to be used when needed.

The Water Policy Task Force should be the court of first resort when concerns such as those raised by Sidney surface. Its policy of consensus will ensure a sound balance of interests, and its responsibility is to the entire state.

LINCOLN JOURNAL STAR

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3-29-05

Conservation program will aid transition

The new incentive program that will pay farmers to stop irrigating along the Platte and Republican rivers is a reasonable tactic to support and speed a necessary transition away from unsustainable practices.

Nebraska has more irrigation than it can handle.

That was true even before Mother Nature turned off the rain a few years ago. The drought made irrigation excess as obvious as a beached fish stinking on the dry Platte River bottom.

Nebraska leads the nation in groundwater irrigation. It's the second-leading state in total irrigated acres. During the past few years hundreds more irrigation wells have been drilled in vain hope that more center pivots could solve the water shortage.

Now, however, Lake McConaughy is a puddle of its former self. The Platte River is one of the nation's most endangered. At the Harlan County Reservoir, four-wheelers raise dust where boats floated a few years ago. Traditional events such as the Franklin Canoe Race and Red Cloud tank float were canceled last year — not enough water.

It's time to switch to sustainable practices and a different way of life.

The program unveiled earlier this month by Gov. Dave Heineman and U.S. Rep. Tom Osborne, R-3rd District, has the goal of retiring 100,000 acres of irrigated cropland.

Officials hope the program will provide up to 85,000 additional acres of native grassland habitat and increase the populations of pheasants and other ground-nesting birds by 25 percent.

That change is imperative.

We hope it will be permanent.

The Republican River Basin and parts of other river basins in Nebraska simply are overappropriated. There's not enough water to go around. Lawsuits won't solve the problem. The state already has spent \$35 million on lawsuits over the Platte and Republican rivers.

The \$168 million Conservation Reserve Enhancement Program, including 20 percent in state matching funds, is an appropriate way to restore balance to the stressed river basins.

The program, which takes land out of production for a decade, should be viewed as a short-term, transition program — not another subsidy with no end in sight.

The program may not be the answer for all eligible farmers, but it offers an option that can help farming in the basins return to a sustainable level.

It certainly makes more sense than paying subsidies to irrigators to grow crops that wither in the midsummer sun when the water dries up.

Omaha-to-Fremont trail plan in doubt

3-30-05

■ The Douglas County Board's failure to approve the recreation project could result in the loss of \$5.5 million in federal funding.

By TOM SHAW

WORLD-HERALD STAFF WRITER

A trail connecting Omaha and Fremont is in jeopardy after the Douglas County Board rejected a plan to pay for a share of the project.

There were not enough votes on the board Tuesday to approve a trail agreement with Elkhorn, Waterloo, Valley and the Papio-Missouri Natural Resources District.

The trail would cost an estimated \$6.9 million, with most of the money coming from \$5.5 million in federal funding.

Douglas County and the NRD were each expected to pay \$550,000 and the towns a smaller share. But some County Board members said the county share was too high. They said it would be better if the NRD paid all or most of the local match.

A spokeswoman for U.S. Rep. Lee Terry, who helped secure the federal funding, said the congressman was "incredibly disappointed" by the County Board's action.

The project won't go forward without a local contribution, Terry spokeswoman Jen Rae

Hein said.

She also said the amount of federal money for county trails could actually be \$7 million if a current transportation bill is signed into law. That would increase the local funds needed.

Board member Mike Boyle, in voting against the plan, said the county can't afford its share. He questioned why the county would spend money on trails at a time when it was trying to save money by merging park operations with Omaha.

The other "no" votes were cast by Kyle Hutchings and Kathleen McCallister. McCallister said after the meeting that the NRD should pay a greater share of the local funding.

She said that with the county involved, Omaha taxpayers would be tapped twice for the project — once as county residents and again as NRD members — and the trail wouldn't even be in Omaha.

Marlin Petermann, assistant general manager of the NRD, said NRD officials would talk with officials in the towns involved to see whether the funding structure should be altered.

See **Trail: Page 2**

Trail: County Board puts plan in peril

Continued from Page 1

He said the NRD was disappointed in the board's vote and said the trail would benefit all area residents.

Douglas County Board members Clare Duda, Mary Ann Borgeson and Chris Rodgers voted for the project.

Board member Chip Maxwell abstained from voting, leaving the tally at 3 to 3.

After the meeting, Maxwell said a county document stated the wrong level of county funding and said he was confused about the county's actual costs. But he agreed with Boyle that the county has other budget priorities.

Borgeson, who represents western Douglas County, was agitated after the trail project failed. She questioned whether the project would survive. In an interview, she said she might bring the issue back before the board to see if the county will fund a smaller portion of the project.

Area towns and the NRD already had approved the trail agreement.

Waterloo Clerk Nancy Hert said village officials decided that its portion of the trail project, up to about \$30,000, was worth pay-

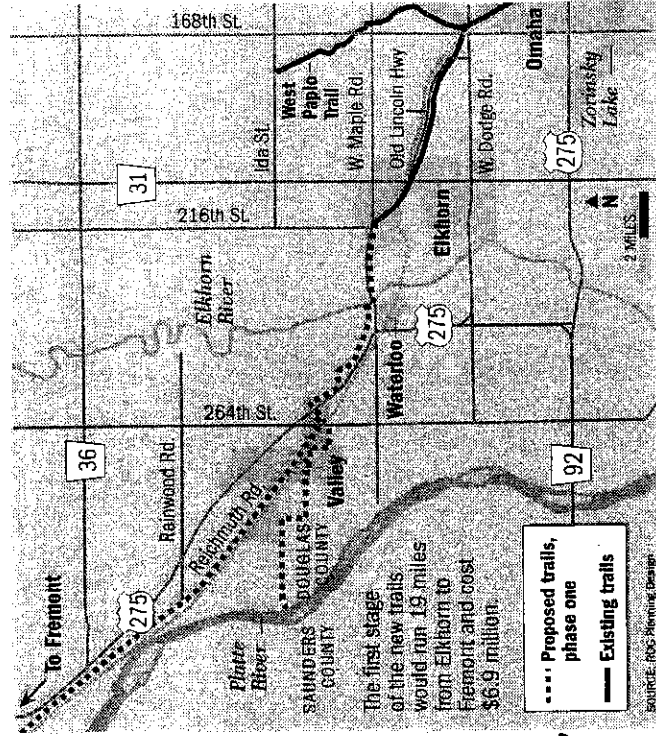
ing despite a tight village budget. The trail, she said, would bring joggers and bike riders from Omaha to the towns.

"It would have been nice to at least tie Valley and Waterloo and Elkhorn together," Hert said.

Elkhorn Administrator Don Eikmeier and Valley Mayor Mary Caffey said they would

need to speak with NRD leaders to decide the next step.

Earlier this month, the County Board held off on voting on the trail plan to make sure Omaha's annexation of Elkhorn wouldn't affect the deal. Tuesday's rejection had nothing to do with the annexation, which is in the courts.



DEAN WEINLAUF/THE WORLD-HERALD

Trail vote could cost federal money

■ Rep. Lee Terry says the funds may be spent elsewhere if the Douglas County Board doesn't pay its share.

3-31-05

BY TOM SHAW
AND CHRIS OLSON

WORLD-HERALD STAFF WRITERS

U.S. Rep. Lee Terry warned Wednesday that millions of federal dollars for the expansion of a trail system between Omaha and Fremont could be lost if the Douglas County Board does not pay its share.

Terry, the Republican congressman from Omaha, said he was "confused and frustrated" by the board's rejection Tuesday of a proposal to pay \$550,000 over six years toward the \$6.9 million cost of the first portion of the Douglas County trail project.

"This dramatic turn could have the effect of killing the project," Terry said at a press conference Wednesday afternoon at the Twin Rivers YMCA in Valley, a stop on the proposed trail system.

Most of the cost for this portion of the project would be paid by \$5.5 million in federal funding, but that funding is contingent on local money going to the project.

Terry said Wednesday that another \$1.5 million is now available in federal funding, bringing the federal support up to \$7 million for the overall \$13 million in planned trails.

Elkhorn, Waterloo, Valley, the Papio-Missouri Natural Resources District and the Douglas County Board already committed money to developing a trail plan after signing an agreement in March 2003, Terry said.

But some County Board members said Tuesday that they couldn't support the high cost of the county's share to actually build the trail. They said it would be better if the resources district paid all or most of the local match, rather than the same portion as the county.

Board member Mike Boyle, in voting against the plan, said the county can't afford its share. He questioned why the county would spend money on trails at a time when it is trying to save money by merging park operations with Omaha.

The other no votes were cast by Kyle Hutchings and Kathleen McCallister. McCallister said the resources district should pay a greater share of the local funding.

She said that with the county involved, Omaha taxpayers would be tapped twice for the project — once as county residents and again as resources district members — and the trail wouldn't even be in Omaha.

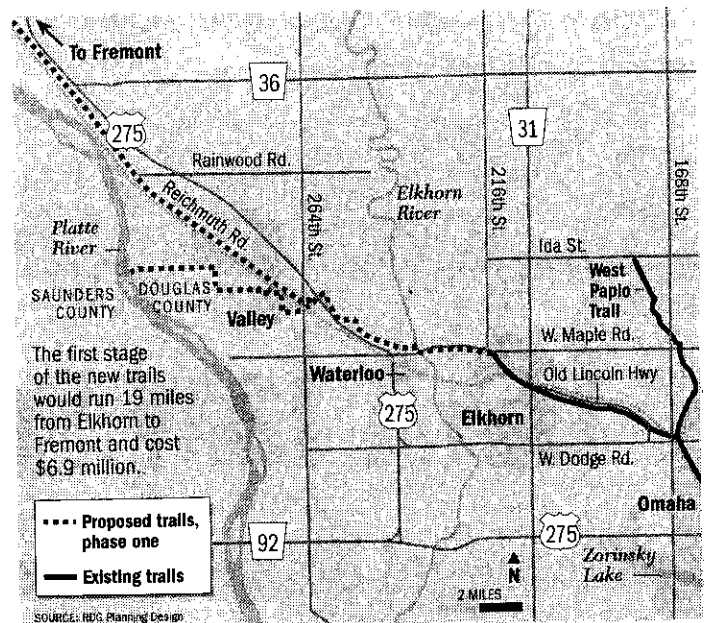
Douglas County Board members Clare Duda, Mary Ann Borgeson and Chris Rodgers voted for the project.

Board member Chip Maxwell abstained from voting, leaving the tally at 3 to 3. Maxwell said he's not against a trail system, but he agreed with Boyle that the county has other budget priorities.

The cost of the trail expansion wasn't too much for Waterloo, said Village Clerk Nancy Hert.

Hert said village officials decided that its portion of the trail project, up to about \$30,000, was

See Trail: Page 2



Trail: Federal funds in doubt

Continued from Page 1
worth paying despite a tight village budget. The trail, she said, would bring joggers and bike riders from Omaha to the towns.

Borgeson, who represents western Douglas County, was among others at Wednesday's press conference, including Elkhorn Mayor Phil Klein, Valley Mayor Mary Caffey, Steve Oltmans, general manager of the Papio-Missouri Natural Resources District, and Rich Tassar, a member of the district board.

"I'm still keeping hope for this project," said Borgeson, who vowed to bring the trail-funding vote back to the County Board.

"I would like to see this project supported by the entire board, but we only need one more vote," she said.

Klein and Caffey said the board needed to realize that the trail expansion would benefit the entire county, not just the western portion.

Terry said if the earmarked federal funds aren't used by Nebraska, they would become part of a "slush fund" to be given to projects in other states by the chairman of the House Transportation Committee.

"The only other option I would have would be to re-earmark the funds for another Nebraska project, like maybe a Papillion/Sarpy County trail system," Terry said.

Osborne: Protect McConaughy for all uses

By DAVID HENDEE
WORLD-HERALD STAFF WRITER

OGALLALA, Neb. — Rep. Tom Osborne said Wednesday that he knows irrigators don't like the idea, but he wants to see a minimum pool of water established in drought-plagued Lake McConaughy.

Osborne said his goal is to help preserve the lake's status as a recreational attraction and an economic development magnet for the region.

Lake McConaughy, an irrigation reservoir on the North Platte River north of Ogallala, is Nebraska's largest lake.

It shrank to a historic low last year and is expected to fall lower when water is released to south-central Nebraska irrigators this summer. The lake was at 34.3 percent of capacity Wednesday.

"Irrigators are very uncomfortable with this. I understand

their discomfort," Osborne told a water seminar sponsored by the Lincoln-based Groundwater Foundation.

However, Osborne said, his job is to look at the big picture for the lake.

"We have to do what we can to protect that resource," he said.

"I certainly care about irrigators. I care very much about agriculture. But I also have to care about the overall economy. The question is, how do we get more people in the 3rd District? How do we reverse out-migration?"

People move to places not only for jobs but also for recreational opportunities, such as lakes and hunting, he said.

Osborne, a trout fisherman, said Lake Ogallala, a fishery at the foot of McConaughy's Kingsley Dam, provides the state's best trout fishing because of the cold water provided by the big

adjacent lake.

Such tail water fisheries in the West are major sources of economic opportunity. "We've got one here we're starting to appreciate more," Osborne said.

He said Scotts Bluff County in the Panhandle and Keith County, where Ogallala and Lake McConaughy are located, are the only western Nebraska counties to have gained population since the 1930s.

"You take Lake McConaughy out of the mix, Keith County doesn't gain population," Osborne said. "Lake McConaughy is a huge benefit, irrigation-wise, but it is in many ways the hub of what we're trying to do in central and western Nebraska."

Osborne said he is concerned about McConaughy's ability to refill once the drought ends because similarly empty reservoirs upriver in Wyoming must

fill first, and the development of center-pivot irrigation upstream is draining the North Platte and its tributaries.

"Will it ever refill under the current system?" he asked.

He said he hopes the recently announced U.S. Department of Agriculture's Conservation Reserve Enhancement Program to take irrigated Nebraska land out of crop production will save 130,000 acre feet to 150,000 acre feet per decade in McConaughy. The reservoir held 597,200 acre-feet of water Wednesday.

In a later interview, Osborne said the challenge of allocating McConaughy's water is to determine how it can benefit "the most people the most."

"We have a limited resource here," he said. "It's an abundant resource, yet there's only so much of it. We hope that recreation will be figured in."

Landowners appeal NRD ruling

By Keith Rydberg
Reporter

4-1-05

While a Douglas County District Court Judge recently ruled Washington County landowners waited too long to file a lawsuit against the Papio-Missouri River Natural Resources District and the Dial Realty Development Corporation, the plaintiffs are working to get a second opinion in the matter.

The case, which was filed by several Kennard and Bennington landowners, requested the court's assistance in preventing the development of a dam and an adjoining park on 192nd Street in Omaha. Although the case was originally filed March 11 in Washington County District Court, attorneys with Dial successfully requested a change of venue to Douglas County because that is where the

dam is located. On March 22, Douglas County District Court Judge Richard Spethman ruled the case should be dismissed because the plaintiffs took too long to file the lawsuit. Determining the dam construction to be a reservoir improvement project, Spethman's ruling stated the plaintiffs only had 30 days to file their lawsuit after the district's board of directors approved the agreement between the NRD and Dial at the board's November 18 meeting.

LeRoy Sievers, one of the attorneys representing the landowners in the case, explains the appeal focuses primarily on Spethman's determination the dam construction is an improvement project. If the court of appeals rules the dam construction and park development is something other

than a reservoir improvement project, Sievers said Spethman's ruling could be considered invalid which would, in turn, allow the case to be heard by a judge.

"The judge's order dismissing the lawsuit basically just restated the arguments made by Dial and the NRD with the decision controlled by the statute regarding improvement projects," Sievers said. "The case itself still hasn't been ruled upon by any court because of the statute."

Sievers added that, regardless of the ruling by the court of appeals, the arguments made by the landowners in the original lawsuit are still relevant. The lawsuit maintains the public/private agreement the NRD entered into with Dial to create a park and housing subdivision near the

dam site was a violation of the state statute regarding improvement projects. Also, Sievers said if the NRD considers the dam construction and the development of the adjacent land to be an improvement project, the district should not be allowed to use public funds such as tax money for the development of what he and the landowners maintain are private purposes.

"The arrangement the NRD made with Dial is not pursuant to the state statutes and there is no indication this is an improvement project," Sievers said. "We are making the argument that the statute is not valid because the dam construction is not an improvement project."

While Paul Peters, the attorney representing the

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LAWSUIT: Won't be heard soon

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NRD in the case, declined comment on the matter, Jeff Farnham, who is representing Dial, said neither the appeal or the lawsuit should have any effect on Dial's plans regarding land development around the dam. Although Farnham would not comment specifically on the arguments made in the landowners' appeal, he did say he and Dial support Judge Spethman's ruling.

"The appeal is something the landowners had the right to do," Farnham said. "It is not unexpected and it shouldn't cause any delays."

Even though the appeal on the lawsuit was filed March 25, court reporters are still in the process of typing the testimonies and

arguments made by attorneys on both sides of the case March 22 when Spethman ruled the case should be dismissed. Once the process is completed, copies of the testimonies, arguments and any exhibits will then be presented to the clerk of courts for Douglas County and, ultimately, to the clerk of the Nebraska Court of Appeals.

Because of the work that remains to be done, Sievers said no hearing date has been set regarding the appeal with a decision on the matter not expected for some time.

"It won't be done anytime soon," Sievers said. "This is a very slow process and it will likely be months and months before the case will be heard."

Water program a hit with farmers

4-5-05

BY DAVID HENDIE
WORLD-HERALD STAFF WRITER

Western Nebraska farmers led the charge in signing up Monday for a new federal and state program to take irrigated land out of production to help save water.

Producers from at least two farms spent Sunday night in campers parked outside the offices of the U.S. Agriculture Department's Farm Service Agency office in Scottsbluff so they would be first in line for the new Conservation Reserve Enhancement Program.

"People got out a card table and lawn chairs and were playing cards. It looked like they were in line for concert tickets. It was scary," said Brenda Brown, a program technician at the office.

She said a steady stream of producers kept the office busy all day.

About 6,000 acres of land were offered for enrollment by midafternoon, Brown said, putting Scotts Bluff County pro-

Not getting better

Spring snowmelt runoff for the North Platte Basin is expected to be 69 percent of the 30-year average, according to the latest forecast from the federal Bureau of Reclamation.

The forecast continues a pattern of alternating "high" and "low" snowmelt runoff totals, all far less than needed to refill shrunk reservoirs.

ducers on track to sign up for virtually all of the 10,000 acres allocated for western Nebraska.

The new program, popularly known as CREP, envisions taking 100,000 acres of irrigated farmland out of production along the Platte and Republican River basins.

The program pays farmers the average of the irrigated cash rental rates in their counties. The average producer would receive about \$125 an acre to turn his cropland back to grassland for 10 to 15 years.

Corps' work is vital

The U.S. Army Corps of Engineers, Omaha district, appreciated the March 16 editorial, "Discover Boyer Chute."

The corps congratulates the Papio-Missouri River Natural Resources District for initiating the project and the U.S. Fish and Wildlife Service for transforming it into a national wildlife refuge. What the editorial didn't mention was the role the corps played in the project.

The corps designed and constructed Boyer Chute in a partnership with the NRD. It provided the engineering and \$2.2 million for the chute's restoration in 1993.

The corps has shared costs with the NRD for other habitat projects, including California Bend near Blair, Nathan's Lake south of Boyer Chute and Hidden Lake/Great Marsh inside Fontenelle Forest.

The corps hopes to complete the Lower Decatur Bend project with the NRD south of Decatur. The corps also has built several similar projects on the river with 100 percent federal funding and anticipates building more in the future.

The corps feels it is important to highlight its role in projects such as the Boyer Chute development so the public can recognize its tax dollars at work.

W-H
H-b-05

Ralph R. Roza, Omaha
Chief, Planning Branch

Developer eyes I-80 site to build amusement park

BY JEFFREY ROBB
AND JOHN FERAK

WORLD-HERALD STAFF WRITERS

4-7-05

An announcement is planned for Friday involving an amusement park that developers hope to build near the Mahoney State Park interchange along Interstate 80.

The developer, who failed in an attempt to build an amusement park in Council Bluffs, has been looking at I-80's exit 426, the Mahoney Park exit in Cass County. But several people familiar with the theme park idea said the developer also is looking across the

Platte River into Sarpy County.

What specifically will be announced Friday isn't clear.

Steve Minard, president of Metro Omaha Theme Park LLC, said in a press release that he would announce a project "that will excite people across the state."

The press release includes a statement from U.S. Rep. Lee Terry of Omaha: "This is an exciting announcement that will add to the quality of life for Nebraskans by adding family-friendly year-round entertainment."

See Amusement: Page 2

Amusement: Park had been proposed for Bluffs

Continued from Page 1

Terry was unavailable for comment Wednesday. A spokeswoman, Jen Rae Hein, said Terry has been "loosely involved" in the project for about a year. She said he likes the project because it would encourage economic development.

Minard earlier proposed the \$70 million Wild Escape park for Council Bluffs but couldn't secure financing.

He said Wednesday that he has secured financing to make the current proposal a reality.

He also said he has picked a site but did not plan to reveal it Friday.

Toby Churchill, executive director of the Sarpy County Economic Development Corp., said the developers have looked at sites in both Cass and Sarpy Counties. Randy Lenhoff, president of the Seldin Co. of Omaha, said he has talked with Minard about land the firm owns in western Sarpy. Others who would speak only on the condition of anonymity also confirmed the interest in a Sarpy

County site.

In recent weeks, the developers have worked to move their project forward.

Metro Omaha Theme Park registered last month as a lobbyist before the Nebraska Legislature, giving its address as the outlet shopping mall outside Gretna.

A bill on the floor of the Legislature could boost such a project. Legislative Bill 500 would allow for creation of special entertainment and tourism districts, where projects could

qualify for sales and lodging tax incentives to help fund construction. Sidney, Neb.-based retailer Cabela's originally sought the bill, hoping to build in Sarpy County.

State Sen. Abbie Cornett of Bellevue, who sits on the Revenue Committee, said the developers talked with her about the bill and possibly using it to build an amusement park between Omaha and Lincoln along I-80.

Cornett said the project is unrelated to Cabela's.

Irrigators oppose groundwater plan

4-8-05

BY DAVID HENDREE

WORLD-HERALD STAFF WRITER

ALMA, Neb. — Irrigators opposed to a plan to cut into their use of groundwater urged the Lower Republican Natural Resources District on Thursday to reject the proposal, setting up a possible confrontation with the State of Nebraska.

"We were sold out to solve a legal problem," said irrigator Bill Bunker of Hildreth. "We've been misled. That's just a nice word for being lied to."

Bunker's testimony was typical of many of the 14 people who testified here on a groundwater and surface water management plan jointly developed by the resources district and the Nebraska Department of Natural Resources.

The board plans to vote on the plan at its April 14 meeting.

The issue, which has attracted crowds of 700 at other, contentious hearings in the past year, drew about 150 people at Alma's community center.

The boards of the Upper, Middle and Lower Republican Natural Resources Districts have negotiated with state officials over the districts' individual water management plans to control groundwater irrigation.

The plans are needed to comply with a court settlement between Nebraska and Kansas, which sued Nebraska in 1998, claiming that its residents took too much water out of the Republican River in violation of a 1943 compact between the two states.

Nebraska agreed to increase and maintain flows in the Republican River south into Kansas. The settlement requires irriga-

tion districts to impose restrictions on the amount of water farmers can pump.

Lower Republican district board members and district farmers have said that state officials are making local farmers bear the brunt of the settlement.

Don Adams of Lincoln, executive director of the pro-irrigation Nebraskans First organization, encouraged the board to reject the plan and let the responsibility and accountability for its impact on farmers and communities be borne by Gov. Dave Heineman and the State Natural Resources Department.

"I'm sure that the governor and the DNR would prefer for you board members to be the ones in the line of fire as this plan goes forward," Adams said.

The management plan divides the resources district into areas east and west of U.S. Highway 183.

West of the highway, wells drilled before Jan. 1, 2001, would receive an average annual allocation of 12 inches per acre. Newer wells would be limited to 10 inches.

The allocation east of the highway would be 11 inches for old wells and 9 inches for new wells.

To compare with other resources districts in the basin, the Upper Republican's current allocation in the southwest corner of Nebraska is 14.5 inches. The Middle Republican has approved an average allocation of 13 inches.

The Lower Republican district oversees more than 4,300 irrigation wells pumping groundwater in all or parts of Furnas, Harlan, Franklin, Webster and Nuckolls Counties.