

Ronald D. Klein

[personal information suppressed]

February 6, 2004

Certified: 7003 1010 0003 9486 7616

Central Platte Natural Resources District
Board of Directors
Alicia Haussler, Chair
215 N. Kaufman Ave.
Grand Island, NE 68803

Subject: Your January 22, 2004 letter signed by Scott Woodman, Acting Chairman

Dear Board Members:

I am in receipt of the referenced letter, copy attached. Unfortunately, **your response is inadequate** as it lacks necessary information as to what you believe your “considerations” were.

First of all, you appear to believe that my attendance at your October 23, 2003 Water Resource Committee meeting constitutes a “response” to my COHYST concerns and recommendations. **That is hardly the case.** At no time was there any discussion or questioning by any CPNRD board members of my October 23 presentation information, or previously supplied information. There was **no evidence of consideration or discussion** of any of my points either with me or within the board or committee. **Unless, of course, you consider the public verbal personal attack directed to me by Richard Mercer to be your “response” and “consideration”.** I would hope that would not be the case on the part of a group of individuals who are elected to serve the public with all the normally expected obligations to do that in a businesslike and objective manner.

Additionally, your last sentence states “The Board of Directors and the Water Resources Committee have also considered your other recommendations and requests and have decided not to implement them.”

Your letter is very brief. **It provides absolutely no indication just what you “considered”.** Nor does it provide any meaningful explanation of the basis for your stated decisions.

In view of this lack of explanation, I have no choice but to specifically request that you provide me with copies of any and all notes, documents, recordings, transcripts, and any other pertinent information which would elaborate on your claimed “consideration”. This applies to any CPNRD staff, board members, or related individuals and entities that either participated in, or supported your stated “consideration”. Please provide this to me within 30 days. I would prefer electronic transmittal of this information to me by email, if the total file size is less than 1 MB, or alternately on CD in readable format sent to me at the above US Postal Service address. And, be advised that your normally distributed minutes of your meetings do not constitute what is required to satisfy my request. If you want to provide it in some other manner, please contact me before doing so.

Let me explain why it is necessary for me to make this request.

Due to the lack of information you have provided, it appears to me that there was not the normally expected responsible and objective consideration of these serious issues. So, **I can only conclude the following about the voting majority of the CPNRD board of directors:**

1. **You support the concept of public verbal personal attacks** on landowners in the CPNRD area of jurisdiction as was done **by Richard Mercer** on October 23, 2003. You believe this kind of conduct by an elected public official to be "OK".
2. You believe that **"selective enforcement"** by CPNRD staff of your regulations against particular landowners for inadvertent apparent violations, while NOT enforcing those same regulations against other landowners **is "OK". Equitable treatment under the law - as practiced by CPNRD - is NOT a requirement.**
3. **Your failure to act** - or apparently even truly consider - my legitimate and valid COHYST concerns and recommendations indicate that **you do not believe that you are obligated to take normally expected management actions** to confirm that information you are provided by staff or others is correct. This is true even when an affected party with the qualifications to make the assessments, as I have, presents you with credible evidence why it is necessary to do so. **You are simply not obligated to actually manage** activities, tasks, and projects under your control which are **expending funds of the taxpaying public** who elect you. You are simply obligated to believe everything you are told by your staff. **The public has no legitimate basis to expect you to perform your duties in such a manner that they can be legitimately assured that you are acting to be certain that the public's interest is protected.** This is true even when presented with credible data which would normally be expected to cause appropriate objective investigative actions under the normal obligations of an elected public official.

I hope that you can provide me with credible information, as requested above, to clearly cause me to believe my above stated conclusions are wrong.

Please provide the requested information not later than March 5, 2004. If that is not possible, please advise me in writing not later than March 1, 2004 of your proposed alternate plans to satisfy these legitimate concerns by this affected landowner in the CPNRD jurisdiction.

Very truly yours,

Ronald D. Klein

Cc: file