

NRD ORAL HISTORY PROJECT

Interview of Jim Barr by  
Ann Bleed

July 21, 2014

1 PROCEEDINGS, July 21, 2014:

2 MS. BLEED: Okay. This is Ann Bleed and I'm here  
3 to interview Jim Barr. And it's August -- or July 21<sup>st</sup>,  
4 2014. Jim, why don't you start out with a little bit of  
5 your background, where are you from and just a synopsis of  
6 where you got -- how you got to where you are now.

7 MR. BARR: Well, I haven't moved very far. I was  
8 born on the -- or we were living on the place where I am now  
9 when I was born. So, I came up on a farm in York County,  
10 Nebraska, northwest of York a little ways -- livestock,  
11 grain operation -- more livestock in terms of -- than  
12 anything. Went to grade, country school in Bradshaw and  
13 then York beginning my sophomore year, where I graduated --  
14 university -- or Doane College for a year and then  
15 university for three. Graduated in '61. Went to the Air  
16 Force. Got out of that in '65.

17 MS. BLEED: What was your field of study at the  
18 university?

19 MR. BARR: Economics.

20 MS. BLEED: Economics.

21 MR. BARR: Started out in engineering at Doane and  
22 decided mathematics was not my favorite subject, and I  
23 didn't do too good, so. And then you can become an  
24 economist where mostly you just B.S. anyhow, so.

25 Then, let's see, Air Force. After the Berlin

1 crisis, my plans changed and I -- they gave me a chance to  
2 enlist so I went to the Air Force where I had been in ROTC.  
3 Got out and went directly then to graduate school at the  
4 University of Nebraska, in ag-economics again. Clayton  
5 Yeutter was another student at that point. And he was Dr.  
6 Fisher's (phonetic) star student, and I was on the other  
7 end. He was doing a doctorate, and I was doing a master's,  
8 so. After, got -- and I did, a kind of a, paper on --  
9 industrial water was my area of that. Then I ended up going  
10 to work for the Nebraska Game and Parks Commission as chief  
11 planner of recreation. A couple of years, went to gradate  
12 school in Michigan State. Started a PhD. I didn't finish.  
13 Ran out of money and came back and Doug Bereuter asked me to  
14 come back to help him set up a new agency, the state office  
15 in planning and programming.

16 MS. BLEED: And what year was that?

17 MR. BARR: That was -- well, he called in late  
18 '69, but we didn't actually start until -- or I didn't start  
19 until January of 1970.

20 MS. BLEED: So, you started just as the NRD  
21 legislation --

22 MR. BARR: Well, actually, I had -- I had been  
23 involved somewhat. I was -- Mel Steen (phonetic) was the  
24 director of the Game and Parks Commission, and I tagged  
25 along with him to some of the meetings.

1 MS. BLEED: Okay.

2 MR. BARR: He was on the commission at that point.  
3 And, particularly in relation to the boundary or the  
4 regional areas, because the Game and Parks Commission had a  
5 series of regions too.

6 MS. BLEED: Okay. I am going to stop, stop you  
7 right there. I don't want to get this too out of sequence.  
8 Let's finish up with your history and then we'll go back to  
9 that.

10 MR. BARR: Oh, well. Okay. Let's see. Where was  
11 I?

12 MS. BLEED: You had come back to work for Doug  
13 Bereuter.

14 MR. BARR: State -- the state office --

15 MS. BLEED: In the state --

16 MR. BARR: -- of planning and programming. Was  
17 there for, until I think, well, I was there until Tiemann  
18 lost the election. Then, I went over to work for the  
19 commission.

20 MS. BLEED: Which commission?

21 MR. BARR: Well, it was soil and water  
22 conservation --

23 MS. BLEED: Okay.

24 MR. BARR: -- commission at that time. Jim Owens  
25 was the director of planning, and we were still involved in

1 the water plan, but I was brought over to start the water  
2 quality planning section for the state. And did that and  
3 did the -- finished the interim plan and got the -- and they  
4 were still working on the Salt Water Valley Watershed, water  
5 quality plan. Then Don Nelson asked me to come back over to  
6 the State Office of Planning and Programming where I stayed  
7 until, I think, it was March of '76. I know I'd been down  
8 to the water conference, and the first day I went home and  
9 ran into a blizzard and downed power lines, so I just --  
10 that was it. I farmed for a couple of years. And when Doug  
11 won the election to the --

12 MS. BLEED: Doug Bereuter that is.

13 MR. BARR: Doug Bereuter won the election of the  
14 House, he asked me to come on to -- and get him out of  
15 trouble with the agricultural interests. And so, I did ag  
16 and natural resources for many years.

17 MS. BLEED: And that was in Nebraska?

18 MR. BARR: Oh, yeah. I always was stationed here.  
19 I may have went back and forth, but -- in fact, the first  
20 time I went to D.C. was during the tractorcade and trying to  
21 keep order in the office with that. Then, I was there for a  
22 long time. Eventually, did the district manager business  
23 for Doug. And then, in 2001, I went over to the Bush  
24 administration as a political appointee to the state  
25 director of USDA rural development and retired in '05, and

1 have had a farming and cattle operation the whole time. So.  
2 The only time I didn't have any cattle was in the Air Force.

3 MS. BLEED: In the Air Force.

4 MR. BARR: Yeah.

5 MS. BLEED: So, let's go back. You started to  
6 talk a little bit about being with the Game and Parks  
7 Commission. And what year was that? Nineteen sixty --

8 MR. BARR: '67 and '69.

9 MS. BLEED: -- seven. And that was when there was  
10 just discussions starting about NRDs?

11 MR. BARR: Well, yeah. We were doing the state  
12 water plan, and I think the Water Resources Act in '65 tried  
13 to get everybody to do a state water plan. And the state  
14 was working on that. The Commission was directing it, but  
15 other agencies were involved. And our agency was  
16 peripherally involved too. And I started to go into this  
17 business about the regions, and Game and Parks Commission  
18 had regions, economic development had regions, so everybody  
19 had regions. So we had --

20 MS. BLEED: These are planning regions, or --

21 MR. BARR: Yeah, and other -- and operational  
22 also.

23 MS. BLEED: Uh-huh.

24 MR. BARR: And so, we would sit down and visit  
25 about that, arguing.

1           I know Mel Steen had me go to a meeting in the  
2           governor's office at the time and presented his reasons, but  
3           it looked like it wasn't really going to be a conflict with  
4           the Game and Parks, so they never really raised much  
5           objection, other than just questioning to see how it was  
6           going to work.

7           There were some subcommittees on the state water  
8           plan I probably was involved in as I recall. Then, during  
9           the key year, '69, when the legislation passed, I was in  
10          Michigan. So, I didn't have direct involvement in the  
11          passage of it. There was some, I think, amendments and  
12          stuff from '70 on that we might have had some peripheral  
13          relationships with.

14          One of my jobs at the state planning office was to  
15          do the A95 review, which was essentially the state's review  
16          of federally related projects. And I did them in the area  
17          of agriculture, natural resources, transportation, and I  
18          don't remember, some others maybe. So, I got to see the  
19          various proposals in all sorts of areas in natural  
20          resources, and conversations, and meetings, and all that  
21          sort of thing.

22          While there, one of the things we did was, Gayle  
23          and I and Adonis (phonetic) Peterson -- I'm not sure Gayle  
24          was there. I think it was --

25                MS. BLEED: This is Gayle Starr?

1 MR. BARR: -- Dave Mizour (phonetic). It was Dave  
2 Mizour from the commission.

3 MS. BLEED: Okay.

4 MR. BARR: And Adonis Peterson and I --

5 MS. BLEED: And who was Adonis Peterson?

6 MR. BARR: He was economic development department.

7 MS. BLEED: Okay.

8 MR. BARR: And he, then, later worked with the  
9 Nebraska Public Power. But, we set up the criteria for the,  
10 what was called at the time euphemistically, the million  
11 dollar club, the natural resource development fund.

12 MS. BLEED: And there is what? Where were you at  
13 this point?

14 MR. BARR: I was with State Office of Planning and  
15 Programming.

16 MS. BLEED: The State Office -- this is with state  
17 office and planning, okay.

18 MR. BARR: And, in fact, we had the same argument  
19 there with, I remember going with Doug and Gayle with Warren  
20 Fairchild over to Tiemann, Governor Tiemann's office, and we  
21 talked about regions. Doug had a building block concept  
22 with, I believe, 26 regions, which could then be pieced  
23 together.

24 MS. BLEED: Uh-huh.

25 MR. BARR: And he was more interested in political

1 boundaries. So, his were all based on political boundaries.  
2 And we had the discussion there -- and it pretty much  
3 satisfied him that the purposes of the natural resource  
4 districts didn't significantly conflict with what he was  
5 talking about in terms of economic development districts,  
6 so. But we had a discussion there to iron that out.

7 I can't remember much else, other than we did get  
8 involved in a lot of the discussions on the legislation  
9 itself.

10 MS. BLEED: Can you elaborate a little bit more  
11 about what the basic issues were with the boundaries? As I  
12 understand it, one was you wanted them on watershed  
13 boundaries.

14 MR. BARR: Yes.

15 MS. BLEED: And the question, one question I've  
16 had is why did you decide that was important?

17 MR. BARR: I didn't decide.

18 MS. BLEED: Or whoever.

19 MR. BARR: But the commission --

20 MS. BLEED: What was the reason there?

21 MR. BARR: -- Dayle and Gayle would've, would be  
22 better sources on that. Well, it was, a lot of the problems  
23 with the soil and water conservation districts were you had  
24 a county but if you had six or seven different sub-basins,  
25 some of them, many of them in other counties, they couldn't

1 really do a basin-wide plan or projects that would deal with  
2 the full basin. And I think that was the basic reason.  
3 Plus, we had all these watershed conservancy districts and  
4 all these other districts that were out there, including  
5 irrigation districts, which were originally in the  
6 discussion.

7 MS. BLEED: Uh-huh.

8 MR. BARR: Rural water districts were originally  
9 in the discussions. As it turned out, and I'm sure that the  
10 folks in Tri-Basin will probably cover this, but they  
11 decided not to include the irrigation districts. There were  
12 some proposals on how to do that. They also decided not to  
13 include the rural water districts, but they did -- they  
14 grandfathered in the existing ones --

15 MS. BLEED: Right.

16 MR. BARR: -- and required any new ones to go  
17 through the natural resource district and, I believe, maybe  
18 one or two of them may have even turned themselves over to  
19 the --

20 MS. BLEED: Uh-huh. And that was primarily  
21 because of opposition from the rural water districts, or --

22 MR. BARR: Well, a lot of these rural water  
23 districts were essentially set up on a sanitary improvement  
24 district or some -- well, they were also sanitary  
25 improvement districts.

1 MS. BLEED: Uh-huh.

2 MR. BARR: They were set up on non, or special  
3 purpose districts. And I think this was one of the real  
4 reasons behind the natural resource districts. There were  
5 so many proliferation of various and sundry little  
6 districts, somewhat related to natural resources. And one  
7 of the things I learned in this process was that Dayle gives  
8 a great deal of credit to Clayton Yeutter's seminar --

9 MS. BLEED: Uh-huh.

10 MR. BARR: -- on this very subject. This was a  
11 big issue in California at the time also. And it was an  
12 issue that we discussed in the economics -- at the economics  
13 department. Lloyd Fisher (phonetic) was another one that  
14 had strong feelings on this, and his concern about the  
15 basin-wide approach that the natural resource districts took  
16 was that they didn't really fully involve groundwater. And  
17 where there may or may not have been the right area to  
18 consider or not in the districts. That was one of his  
19 concerns, and I was reminded of it in the --

20 MS. BLEED: Uh-huh. Yeah.

21 MR. BARR: -- interview with Lloyd.

22 MS. BLEED: Yeah. But so, they -- you decided to  
23 do it on watershed districts, and flooding was a big issue  
24 at this time, right?

25 MR. BARR: Well, let me back up a little bit.

1 MS. BLEED: Okay.

2 MR. BARR: There was also the side issue of  
3 political boundaries. And I think that, on the margin, is  
4 where the real argument was.

5 MS. BLEED: Uh-huh.

6 MR. BARR: Was where do you draw the line? You  
7 can generally have a basin in this way with boundaries or  
8 you can go closer to the basin by going in on townships.

9 MS. BLEED: And by political boundaries, you  
10 mean --

11 MR. BARR: Townships.

12 MS. BLEED: -- county --

13 MR. BARR: Townships.

14 MS. BLEED: Townships, okay.

15 MR. BARR: Townships.

16 MS. BLEED: And what about county boundaries?

17 MR. BARR: Well, yeah, obviously.

18 MS. BLEED: Uh-huh.

19 MR. BARR: Here in Tri-Basin, they won out.

20 MS. BLEED: Yeah.

21 MR. BARR: And went to the three-county area.

22 MS. BLEED: Uh-huh.

23 MR. BARR: But in, yeah, originally the argument  
24 was to go to counties. Then it pretty much dropped down to  
25 go to townships. And I think we -- I'm not sure. I should

1 back off. We, at least, stayed with census tracks.

2 MS. BLEED: Uh-huh.

3 MR. BARR: I don't remember if we stayed with  
4 township boundaries. But we -- in some cases they were the  
5 same, but --

6 MS. BLEED: Uh-huh.

7 MR. BARR: -- I think we did always stay with what  
8 was the census at that time. Now, and I, here that's a good  
9 question to ask, I think we stayed with townships, but I'm  
10 not absolutely sure. But that was part of the argument.

11 MS. BLEED: And then, the other question I have  
12 is, if you want to do watershed boundaries, the Platte River  
13 could be one watershed boundary. How did you decide how to  
14 split up these large watersheds?

15 MR. BARR: Well, that would've been an awfully  
16 difficult district to manage. I think, I don't know exactly  
17 how they drew the line --

18 MS. BLEED: Well, the north and the south Platte  
19 makes some sense.

20 MR. BARR: Yes. And up to a point, where's the  
21 gauging station? Did that end at where the Twin Platte and  
22 the Central Platte --

23 MS. BLEED: Yeah, there's a gauging station right  
24 at the confluence of the north and south Platte.

25 MR. BARR: I think that probably was a factor

1           there.  Then, as you get down to Columbus, I think that's  
2           where --

3                     MS. BLEED:  Yeah.

4                     MR. BARR:  -- the Loups come in.

5                     MS. BLEED:  Yeah, the Loups come in, right.

6                     MR. BARR:  And so, I think that was the reason for  
7           that decision.  The lower and the south Platte, I am not  
8           quite sure that I recall.  And then --

9                     MS. BLEED:  And then, the Twin Platte and Tri-  
10          Basin have their own issues, but --

11                    MR. BARR:  Yes.

12                    MS. BLEED:  And the same with the -- so, was the  
13          general consensus that if the district was too big, it would  
14          be too difficult, or --

15                    MR. BARR:  Politically to get --

16                    MS. BLEED:  Politically.

17                    MR. BARR:  Yeah.

18                    MS. BLEED:  It was more political than the --

19                    MR. BARR:  I think so.

20                    MS. BLEED:  -- hydrological differences --

21                    MR. BARR:  Oh, I think that was always the case --

22                    MS. BLEED:  Uh-huh.

23                    MR. BARR:  -- in the political.  I mean, there may  
24          have been other --

25                    MS. BLEED:  Yeah.

1 MR. BARR: -- hydrologic arguments --

2 MS. BLEED: Yeah.

3 MR. BARR: -- that I don't recall, but -- and then,  
4 up on the Niobrara, I think it was just the fact that it was  
5 -- there was a lot of argument there because the population  
6 and the financial base was so small. And then, on the  
7 middle Missouri and the Lewis and Clark, there was these  
8 arguments of how you get it in as you see that it turned out  
9 the Missouri tribs did eventually consolidate with Papio.

10 MS. BLEED: Let me go back to that for a minute.  
11 My understanding is that some of the watershed districts had  
12 a lot of trouble raising enough money to do much.

13 MR. BARR: Oh gosh, yes. Certainly.

14 MS. BLEED: Would you talk about that, and talk  
15 about how the NRDs either helped that or not?

16 MR. BARR: The soil and water conservation  
17 districts were no larger than a county, and I think they  
18 were all county. So, they essentially had to go to the  
19 county board to get their funding. They had no direct way  
20 of getting funding other than what the county board decided  
21 they would provide. And here again, if you did a project  
22 that spilled over into a second county, then you would've  
23 had to have an inter-local agreement and you would've had to  
24 have gotten both counties approval and money from both  
25 counties. And so, this would kind of allow two things:

1 one, an independent source of financing; and two, a way to  
2 get -- without having to have an inter-local agreement to go  
3 ahead and do a basin project. And a lot of these were 566  
4 related. The PL566 --

5 MS. BLEED: What is PL566?

6 MR. BARR: -- the water -- the Small Watershed Act  
7 that the Soil Conservation Service and, later, NRCS has  
8 managed over the years.

9 MS. BLEED: So, that's a federal --

10 MR. BARR: That was the original way of developing  
11 water projects through the soil and water conservation  
12 county districts. And I think we had one or two of the  
13 first ones. One I think was in Gage County and one out in  
14 the Republican some place, as I recall. And don't remember  
15 the exact --

16 MS. BLEED: And so, they had problems, the  
17 watershed districts had problems with funding, and --

18 MR. BARR: Yeah.

19 MS. BLEED: -- so how did the -- did the NRDs help  
20 solve that problem, or --

21 MR. BARR: Well, before the NRDs even, I remember  
22 going on what we used to euphemistically call meetings where  
23 you left your car running. And a friend of mine was Dennis  
24 Hackbart, and he was the economist for the Soil Conservation  
25 Service at the time on these 566 projects. And so, I tagged

1 along on some of them, at times, to -- because we had to do  
2 the review, the state's review of those projects. And  
3 particularly in the southeast part of the state, some of  
4 those were fairly contentious. And we never really had to  
5 actually leave the car running, but you were kind of glad to  
6 be done with the meeting at times. So --

7 MS. BLEED: So then, when the NRDs came along, one  
8 of the things that they got was the ability to levy taxes.

9 MR. BARR: Oh, sure. Sure. That was the key.  
10 That was the key thing.

11 MS. BLEED: And tell me about that discussion.

12 MR. BARR: Well, you had a lot of concern from  
13 both the counties who were losing a certain amount of  
14 control, and definitely, in places, you had concern from the  
15 Soil Conservation Service because they were losing control.  
16 Pretty much, they used a board that they picked.

17 MS. BLEED: The Soil Conservation Service?

18 MR. BARR: Yeah. It was an elected board, but  
19 they went out and solicited people to volunteer. And  
20 usually no more than one person for a sub-district, and then  
21 they were elected. And I don't know, there's -- I've heard  
22 comments that a great deal of them were pretty much social.  
23 But a lot of them did get things done, and the one that  
24 eventually developed in the Papio, the one that John  
25 Neuberger (phonetic) organized over -- and I don't remember

1 the exact name of that -- maybe it was the Papio -- they got  
2 pretty good funding, and they did quite a bunch of stuff.  
3 And they were a larger area because, I think, they were  
4 working on their conservancy district or something also.  
5 But they were probably the pattern from which Warren may  
6 have based the NRD. I mean, the experimental run of an NRD  
7 was essentially that district, I think, that John -- and he  
8 had several of the -- I think he had Dick Berans (phonetic)  
9 and I don't remember if Fleecs worked for the commission. I  
10 think Oltmans (phonetic) worked over there --

11 MS. BLEED: Yeah.

12 MR. BARR: -- for awhile --

13 MS. BLEED: (Indiscernible).

14 MR. BARR: -- and maybe another one, I -- but at  
15 least two of them --

16 MS. BLEED: So, you're talking about a conservancy  
17 district in the Papio --

18 MR. BARR: Well, it was a bigger district and I  
19 don't remember -- it's covered in John's interview, the  
20 exact formation. And he's got reports --

21 MS. BLEED: Okay.

22 MR. BARR: -- in there that give a lot more  
23 detail, and I hesitate to try to go into that because --

24 MS. BLEED: Sure.

25 MR. BARR: -- it will be a lot more big in the --

1 MS. BLEED: But that might have been the  
2 prototype, you think?

3 MR. BARR: Yeah. I think it was the prototype,  
4 exactly, at least in some aspects.

5 MS. BLEED: And that also got away from, as I  
6 understand with the watershed districts, that the locals  
7 didn't want to spend the money. And, of course, the NRDs  
8 still have to --

9 MR. BARR: Yeah.

10 MS. BLEED: -- make sure that -- because they are  
11 locally elected, they can't get too wild with their  
12 spending.

13 MR. BARR: Well, and of course, in the early  
14 discussion and formation of them was one person, one vote or  
15 not. And I think, to begin with, it was not. I think some  
16 of them went to it voluntarily. I can't remember. I know  
17 we had the discussions, whether they actually went or not.  
18 League of Women Voters, very active in that. My wife was  
19 involved at that point. And so, I got to hear that side of  
20 the argument too.

21 MS. BLEED: And the reason not to have one person,  
22 one vote? What was the concern there?

23 MR. BARR: Well, that, two probably: one, that a  
24 certain area might be excluded; and two, that the urban vote  
25 would overwhelm the rural vote. Well, as it's turned out, I

1 don't think that's been a big problem. By and large, folks  
2 in the urban area don't have that big of an interest in  
3 natural resources at that level. And there's -- I think a  
4 lot of them, maybe they still nominate by sub-districts and  
5 then the vote is -- but I think it's based on a similar  
6 population basis. Well, I think there's both ways.

7 MS. BLEED: It depends on the NRD.

8 MR. BARR: It is both ways. You're more familiar  
9 here.

10 MS. BLEED: Yeah. In fact, I became president of  
11 the local League of Woman Voters just as that lawsuit was  
12 finishing up.

13 MR. BARR: Okay.

14 MS. BLEED: And it ended up --

15 MR. BARR: When did that finish?

16 MS. BLEED: That would've been in '76, I believe.

17 MR. BARR: '76. Okay.

18 MS. BLEED: I could be wrong on that.

19 MR. BARR: Okay.

20 MS. BLEED: But it was started before I was  
21 president and finished up just as I was president.

22 MR. BARR: Who were some of the leaders in that?

23 MS. BLEED: Well, I know Elaine Hammer was huge.  
24 And she worked, and I'm trying to remember --

25 MR. BARR: She was Doug's treasurer at the time,

1           so --

2                   MS. BLEED: Right.

3                   MR. BARR: -- he had quite a bit of contact with  
4 Elaine.

5                   MS. BLEED: Yeah. Yeah. And I assume Karen Kerr  
6 (phonetic) was --

7                   MR. BARR: Karen, yep. She was very involved.

8                   MS. BLEED: -- involved. And I know they were  
9 very supportive of the NRD concept, but, of course, the  
10 league was very much about voting issues and voting rights,  
11 and the one person, one vote. And they didn't say one man,  
12 one vote, it was one person, one vote. And if I remember  
13 correctly, the -- when the lawsuit was filed, there was also  
14 a lawsuit that was filed dealing with voter rights in the  
15 south --

16                   MR. BARR: Huh.

17                   MS. BLEED: -- of one person, one vote. And that  
18 lawsuit, the decision on that lawsuit made our law, by the  
19 U.S. Supreme Court, made it less likely that we could win  
20 our lawsuit. And I think, I'd have to check on this, but I  
21 think that the issue was, if it was nominated by sub-  
22 district but election-at-large, it was still one person, one  
23 vote.

24                   MR. BARR: That might have been there, and I kind  
25 of forgot that.

1 MS. BLEED: And when that was decided to be okay,  
2 then I believe the way the law, the League of Women Voters'  
3 lawsuit was phrased, it became kind of a moot point. So, we  
4 essentially lost, but as you just said, most of the  
5 districts have gone to much more of a one person, one vote.  
6 It may be nomination by sub-district and election-at-large,  
7 or just by sub-district.

8 MR. BARR: Yeah.

9 MS. BLEED: I know the Lower Platte South used to  
10 be election-at-large, but then they went to sub-districts  
11 because it was too hard for people in one part of the  
12 district to have any clue on what somebody from the other  
13 part of the district was like.

14 MR. BARR: Another issue that you were just  
15 reminding me of is that, the size of the boards.

16 MS. BLEED: Uh-huh. Yeah. Tell me about that.

17 MR. BARR: And the interim board was essentially  
18 all members of all of the boards that were consolidated.

19 MS. BLEED: So, they were large in some cases?

20 MR. BARR: Some of them were as much as 400  
21 meeting in an auditorium. And then, normally, they would  
22 pick an executive committee. I know that's what happened to  
23 Central Platte. Dick Mercer, I think, was one of them. And  
24 so, they came down to whatever size, and by and large what  
25 it was, as I recall, it was either -- I can't remember if

1 the lowest was seven or nine, but the top was 21. And so, a  
2 lot of them, whatever they'd made their interim board --

3 MS. BLEED: I think --

4 MR. BARR: -- basically became the number that  
5 they use yet today, in some cases. Some of them have  
6 reduced, but it's varied throughout the state as -- which  
7 board member size they finally adopted.

8 MS. BLEED: And that's up to the NRD --

9 MR. BARR: Yeah.

10 MS. BLEED: -- to this day to decide.

11 MR. BARR: As long as they're within that range.

12 MS. BLEED: Right. Right.

13 MR. BARR: And they can change them.

14 MS. BLEED: Are there -- was there much discussion  
15 about making sure that you didn't have all the people from  
16 one area?

17 MR. BARR: Well, that was the reason to have sub-  
18 districts, and nominate originally all nominations by --

19 MS. BLEED: But was that in the original bill,  
20 or --

21 MR. BARR: You know, I don't remember. See, we  
22 had a -- we had the original bill. Then, we had the lawsuit  
23 filed to stop it. And then, I think, we had either -- I  
24 know we had at least one corrections bill.

25 MS. BLEED: Now that's -- wait a minute, let's be

1 clear, the lawsuit to dealing with one person, one vote --

2 MR. BARR: Is different.

3 MS. BLEED: -- is different from the --

4 MR. BARR: Yeah. The original lawsuit was filed  
5 sometime --

6 MS. BLEED: Now, the lawsuit to stop the NRD is  
7 the one you're talking about. Okay.

8 MR. BARR: -- after it was passed in '69.

9 MS. BLEED: Right, to stop the whole concept.

10 MR. BARR: And that, I can't remember. I think  
11 that was resolved before '72 when they actually went into  
12 effect. From July '72 until January of '74, they were an  
13 interim board, and then starting in January of '74, the  
14 first elected boards took over. And I think they were by  
15 and large at least nominated by, if not nominated and  
16 elected, by district in most cases. I wouldn't be held to  
17 that.

18 MS. BLEED: Yeah. It probably varies a lot.

19 MR. BARR: Yeah.

20 MS. BLEED: So, at this time, this is in the early  
21 70s, that was before the big on-rush of drilling wells and  
22 center-pivots.

23 MR. BARR: Well --

24 MS. BLEED: They were just getting started, and  
25 the NRDs really, although it says they have authority over

1 groundwater in the original legislation, they really didn't  
2 get clear authority until later.

3 MR. BARR: Let me go back. 1955 to 1957 was a  
4 very dry period.

5 MS. BLEED: Uh-huh.

6 MR. BARR: And an awful lot of wells went in at  
7 that point, particularly in the York, Aurora area. I  
8 remember that was, '55 is the first year I farmed. And in  
9 '56 in July about this time, we got our first well. And we  
10 used the big ditch-makers, and it's curved around as the  
11 water flew, flowed, and put dams in, and we used tubes. And  
12 at that time, they went in pretty fast. And in '57, my  
13 brother and I spent most of the irrigating season on the  
14 porch waiting for the irrigation motor to kick off, because  
15 every time it kicked off, we had to go out and reset all the  
16 tubes. One day, I think I counted 20 times that that had  
17 happened. But that was when the first onslaught of wells  
18 came in.

19 MS. BLEED: Uh-huh.

20 MR. BARR: And then, in varying degrees, they  
21 proliferated after that. In the early 70s, or late 60s and  
22 early 70s, there were groundwater districts formed which  
23 were the ones primarily responsible for groundwater. And I  
24 remember, one time, I was with Vince Dreeszen and Deon  
25 Axtell, and we set up the first criteria for implementing

1 irrigation controls. And that was in the early 70s. It was  
2 a problem then. I was the state's representative on the  
3 Level B Study in the mid-70s, Carol Hamin (phonetic) and I.  
4 And, of course, the modeling on the Platte was what we were  
5 looking at, primarily in relation to the mid-state's  
6 project.

7 MS. BLEED: And this is the Platte Level B Study?

8 MR. BARR: It was the Platte Level B Study, Platte  
9 River Level B Study.

10 MS. BLEED: And when you say it was a problem  
11 then, was that a problem with well interference or what was  
12 it exactly was --

13 MR. BARR: Groundwater decline.

14 MS. BLEED: It was -- you were worried about  
15 groundwater decline.

16 MR. BARR: Oh, gosh, yes. Yes.

17 MS. BLEED: Okay.

18 MR. BARR: And at that point, the projections were  
19 that we'd have been well out of it by now.

20 MS. BLEED: And that was based on?

21 MR. BARR: On --

22 MS. BLEED: Groundwater modeling.

23 MR. BARR: -- groundwater modeling. Yes.

24 MS. BLEED: Uh-huh.

25 MR. BARR: And particularly, I don't know if they

1 had models everywhere, but they had a modeling system set up  
2 for the Platte as part of this, that Level B study --

3 MS. BLEED: Okay.

4 MR. BARR: -- which the Bureau of Reclamation  
5 basically ran, and I can't think of the gentleman's name  
6 that did that. There were pretty dire predictions at that  
7 point, because we had been in kind of a dry period.

8 MS. BLEED: Was that Bob Kutz (phonetic) by any  
9 chance?

10 MR. BARR: Bob was, he came after John Main. John  
11 Main was the director, was the head of it, the bureau, in  
12 Grand Island --

13 MS. BLEED: Okay.

14 MR. BARR: -- at that time. Kutz came after --

15 MS. BLEED: Came after, okay.

16 MR. BARR: -- that. But, I was trying to think of  
17 the name of the gentleman that did the modeling.

18 MS. BLEED: Well, I think Ralph Kady (phonetic)  
19 did some of the modeling.

20 MR. BARR: That might, he's one of them. And  
21 maybe he was the one.

22 MS. BLEED: He was a key person with conservation  
23 in the survey division at the time.

24 MR. BARR: Oh, well, this was somebody working for  
25 the Bureau of Reclamation that was doing the project, doing

1 the modeling. Because it was part of the mid-state project.  
2 And then this, let me just go on --

3 MS. BLEED: Yeah, go on, I bet you'll --

4 MR. BARR: -- to expand in something else.

5 MS. BLEED: Yes.

6 MR. BARR: This had to do with the, well, we had  
7 several irrigation projects in addition to the one up on the  
8 Niobrara and the Loup. We had the mid-state project.

9 MS. BLEED: Uh-huh.

10 MR. BARR: And that was essentially one of the key  
11 topics in the Platte Level B Study. And at that time -- up  
12 until that point, the Bureau of Reclamation pretty much  
13 always won in any fight that they had with us, Fish and  
14 Wildlife Service. And as part of the Platte Level B Study,  
15 we had to come up with a, kind of a, mid-state light. I  
16 don't remember what the name was called. Eventually, it  
17 turned into the project that the Upper Big Blue and the  
18 Central Platte talked about.

19 MS. BLEED: Prairie Bend Twin Valley.

20 MR. BARR: Prairie Bend. So, we had, essentially,  
21 mid-state light which eventually became that. But John Main  
22 and the bureau, they were sure they could bull through with  
23 what they wanted. And so, they did not compromise. And  
24 within about six months to a year, things changed. And the  
25 Fish and Wildlife Service wouldn't compromise. So, you saw

1 at that point --

2 MS. BLEED: And, of course, the endangered --

3 MR. BARR: -- the momentum changed from the  
4 developers to the environmental --

5 MS. BLEED: Yeah. The Endangered Species Act was  
6 '72.

7 MR. BARR: Yeah. That all developed into the -- I  
8 mean the Clean Water Act was '70, I think or --

9 MS. BLEED: 1970s, yeah.

10 MR. BARR: Yeah. And all of this stuff came  
11 together and it was very interesting to see the dynamics in  
12 these committees, because the state was one of them but so  
13 was the Bureau of Reclamation, the Corps of Engineers, soil  
14 and water conservation -- Soil Conservation Service, and I  
15 can't think -- the division of, Vince Dreeszen was involved  
16 I think, his shop, and I can't remember all the others. But  
17 that was a very interesting dynamic to watch that happen.  
18 You could see it coming.

19 MS. BLEED: Uh-huh.

20 MR. BARR: But John never did.

21 MS. BLEED: John?

22 MR. BARR: Main.

23 MS. BLEED: Main.

24 MR. BARR: Yeah. Just would not compromise. And  
25 it may have been because of the boards he was working with

1           too. I don't know the dynamics beyond that.

2                       MS. BLEED: Yeah, it's hard when you're working  
3 for a board. It's hard to know whether that's the personal  
4 opinion of the manager or --

5                       MR. BARR: And in his case, it wasn't the board  
6 that he was working for, it was the board he was dealing  
7 with in order to have a little response, so --

8                       MS. BLEED: Yeah.

9                       MR. BARR: I should correct that.

10                      MS. BLEED: So, at any rate, I want to get back to  
11 the groundwater because that's so important to Nebraska.  
12 The legislation says something about the NRDs have control  
13 over surface water and groundwater which I've always found  
14 interesting, because the department was clearly in charge of  
15 surface water.

16                      MR. BARR: Uh-huh.

17                      MS. BLEED: And I was just reading the, last  
18 night, apparently, the Supreme Court case about the NRDs --  
19 or there was another lawsuit dealing with Beatrice, and they  
20 wanted to get water down from Beatrice down to the homestead  
21 area and it was a Supreme Court, Nebraska Supreme Court,  
22 case said, yes, they could do that, but they had to get a  
23 transfer okay -- it didn't say permit, but the DWR, State  
24 DWR had to okay that transfer, which I thought was  
25 interesting. So, it was, and I, from my understanding, at

1       this point in time, it was pretty, it was not clear who  
2       actually was in charge of groundwater. Is that fair?

3               MR. BARR: Let me back up again, to the state  
4       water plan that was developed in the mid-60s. This was an  
5       item of discussion, and they decided essentially to focus on  
6       two areas, surface water projects and institutional factors,  
7       which is essentially what led to the development of the  
8       natural resource district legislation. And the plan itself,  
9       in retrospect, I think one of the real problems with that  
10      plan was that it was once printed, because then it became a  
11      plan on a shelf. When, in reality, planning should involve  
12      a process that continues on and is continually updated, and  
13      I think that's where Nebraska has met a real problem, in  
14      that we essentially quit planning for water back in the 70s.

15             MS. BLEED: When you say --

16             MR. BARR: Yeah.

17             MS. BLEED: Yeah. I'm sorry. When you say  
18      institutional process?

19             MR. BARR: How you're organized.

20             MS. BLEED: How you're organized, okay.

21             MR. BARR: The governmental units and that sort of  
22      thing.

23             MS. BLEED: Yeah.

24             MR. BARR: Yeah. And that's what I think led to  
25      the consolidation of the, all these special purpose district

1           into the natural resource districts, yeah.

2                   MS. BLEED: Was that concern about the  
3           institutional? So, in a sense, it came out of the State  
4           Office of Planning and Programming?

5                   MR. BARR: Yeah. No, no, no. The state water  
6           plan was developed by the soil and water conservation --

7                   MS. BLEED: Ah. Okay.

8                   MR. BARR: No, that was their business --

9                   MS. BLEED: That was the soil and water  
10          conservation.

11                  MR. BARR: Yes. Gayle Starr was very involved in  
12          that --

13                  MS. BLEED: Okay. Okay. Okay.

14                  MR. BARR: -- and Dayle --

15                  MS. BLEED: Okay.

16                  MR. BARR: -- and all that staff.

17                  MS. BLEED: Okay. So that, in a sense, was part  
18          of the original concept of the --

19                  MR. BARR: Yes, of the state water plan.

20                  MS. BLEED: -- NRDs, right? And --

21                  MR. BARR: And it included a number of surface  
22          water related plan.

23                  MS. BLEED: So, --

24                  MR. BARR: But they made a conscious decision not  
25          to include groundwater in the state plan, which I think, in

1       retrospect, was a big mistake.

2               MS. BLEED: Why did they decide that?

3               MR. BARR: I don't know. We should ask Dayle.

4               MS. BLEED: Okay. Okay.

5               MR. BARR: I don't know exactly why, I think it  
6       was just too controversial. And I remember Dayle and Vince  
7       was on the thing, and I don't know what Vince's -- Vince  
8       Dreeszen, I think, realized the connections and everything  
9       and talked about the connections, but did not think it was,  
10      went very far. And there was disagreements there, and I  
11      don't know the full story there.

12              MS. BLEED: Of course, we didn't know as much as  
13      we know now --

14              MR. BARR: Well, exactly. Exactly.

15              MS. BLEED: -- about the aquifers in the state at  
16      that point.

17              MR. BARR: Exactly, and there were many theories  
18      on how that actuality worked.

19              MS. BLEED: Right. So, it was mentioned in the  
20      original legislation --

21              MR. BARR: Uh-huh.

22              MS. BLEED: -- but not perceived as a major focus  
23      of the NRDs, would that be fair?

24              MR. BARR: And then, came in after -- well, at the  
25      time, in (indiscernible) there was groundwater conservation

1 districts, they weren't really, I don't think they had much  
2 real -- I think they had some ability to institute  
3 requirements on drillers and stuff, but I don't remember the  
4 degree to it. It really expanded, at least, in the  
5 groundwater act in the mid-70s, wasn't it? That  
6 essentially, they assigned it to the --

7 MS. BLEED: Right, right, the 19, I think it was  
8 1975.

9 MR. BARR: -- natural resource districts. Yeah.  
10 That sounds about right. Yeah.

11 MS. BLEED: And that's when they got clear  
12 authority. And then, the groundwater conservation districts  
13 got morphed into the --

14 MR. BARR: And I think, one of the underlying  
15 problems in this state has been we've never really resolved  
16 the differences between the correlative rights and  
17 appropriation. And, in fact, what's going on in in-stream  
18 flow. Those three --

19 MS. BLEED: In-stream flow rights?

20 MR. BARR: Those three legal things have never  
21 been really addressed directly. They've always been  
22 peripherally involved, but I don't think I've ever really  
23 saw a discussion or anything underlying and -- that was one  
24 of my real concerns with the, was it 962?

25 MS. BLEED: Uh-huh.

1           MR. BARR: That it was based primarily on the two  
2 major basins that were encountering troubles at that time.  
3 And never really faced the direct issue of the conflict  
4 between correlative rights and appropriation. That was my  
5 concern with it. And it got dealt with in a way,  
6 particularly in a way that dealt with the Republicans and to  
7 some extent the Platte, but I'm not sure that's the model  
8 that's necessary in the Niobrara or the Elkhorn or the  
9 Blues.

10           MS. BLEED: Yeah, but clearly the whole  
11 intersection of groundwater and surface water is an issue.  
12 Is still an issue in this state, I believe. But then,  
13 getting back -- I think we've got the NRDs are now in place.  
14 Was your involvement, then, starting to wane as you got more  
15 involved with Senator Bereuter, or --

16           MR. BARR: Yeah, mine, it shifted at least.  
17 Primarily, I had relation with all of the ones in the  
18 eastern part of the state. A lot of it on Corps of  
19 Engineers' projects, and federally related projects. I  
20 still had quite a bit to do with the NRDs involved in that  
21 part, and also, of course, with the re-licensing of  
22 McConaughy, that was an issue that the congressionals got  
23 involved in.

24           MS. BLEED: Right.

25           MR. BARR: And then, in the Loup, where they took

1 over -- where that district took over maintenance of the  
2 project, we had some involvement in that. But, beyond that,  
3 in, say, in the Republican, I had almost no involvement at  
4 all, other than going on water tours or something like that.

5 MS. BLEED: And so, today, you were talking about  
6 your concerns about the fact that we've never addressed the  
7 in-stream flow and the surface water appropriated rights  
8 versus the groundwater correlative rights. What other  
9 things do you see that might be issues that the NRD should  
10 have or could have or did or didn't really address?

11 MR. BARR: Well, I think the NRDs, in their own  
12 areas, have done a pretty decent job. I think where, I  
13 think there might be a lack is in the overall guidance on  
14 some of these issues that go well beyond individual district  
15 boundaries. And that issue of the underlying legal  
16 philosophies is one of those. Some of the issues on  
17 groundwater sustainability is, I think, probably an issue  
18 that, at least, ought to have discussions state-wide as  
19 opposed to just in the districts. There's a loose mechanism  
20 in place to deal with groundwater if it's not adequately  
21 dealt with in the districts that hasn't been fully tested, I  
22 think.

23 MS. BLEED: And that is?

24 MR. BARR: Well, this, if you can't address it in  
25 the plan and the state thinks it needs to be, there is a

1 mechanism to --

2 MS. BLEED: Oh, the interrelated water review  
3 board, right?

4 MR. BARR: Yeah, water, I can't remember the  
5 details.

6 MS. BLEED: Yeah, from the LB962 --

7 MR. BARR: Yeah.

8 MS. BLEED: -- and the water.

9 MR. BARR: So, there is a --

10 MS. BLEED: That was passed in the 19 --

11 MR. BARR: Yeah. There is a loosely --

12 MS. BLEED: -- 2004.

13 MR. BARR: -- devised, yet untested, mechanism.  
14 Whether it is adequate or not, I don't know.

15 MS. BLEED: Well, that brings up an interesting  
16 question and you're a good person to ask this question.  
17 Such things like that are tested if you have a person or a  
18 leader who pushes it to be tested, and a lot of times that's  
19 politically very difficult. Now, you've been around  
20 politics your whole life. Going back to the formation of  
21 the NRDS, obviously, there was opposition. What do you  
22 think was the thing that pushed the politics to actually get  
23 it through the legislature?

24 MR. BARR: Leadership and persistence. Warren  
25 Fairchild was certainly one. Clayton Yeutter and Nobby

1 Tiemann were certainly involved. Jules Burbach and several  
2 of the legislators were strongly involved. The fact that  
3 Warren was at the commission and his staff. You basically  
4 need, I think, and you had that in the 90s when you had Mike  
5 Johanns as governor and you and Roger involved at state  
6 level and Senator Schrock from the legislative --

7 MS. BLEED: For the water policy task force,  
8 right?

9 MR. BARR: For the water policy task force group.  
10 You had a convergence of interest and leadership, I think.  
11 And I think we had that in the 60s and early 70s. It seems  
12 to wane from time to time, and hopefully we won't hit  
13 another period like that and have some more. And I was very  
14 impressed with Senator Carlson's being able to move the  
15 recent legislation through legislature.

16 MS. BLEED: And that's kind of a dance --

17 MR. BARR: And that was a -- Yes.

18 MS. BLEED: -- to some extent to make sure that  
19 you don't push it too hard or go too far.

20 MR. BARR: And you had help in other elements  
21 within a legislature, but also with other elements outside  
22 of the legislature. As you know, you were involved in a  
23 group that kind of explored some ideas that eventually kind  
24 of developed into the legislation. So, it's a combination  
25 of a number things, I think. It's probably not -- and, in

1       this interview process, we've talked to people about why it  
2       happened in Nebraska and why it hasn't happened elsewhere.  
3       And, in retrospect, it was the time, perhaps one thing.  
4       Nebraska was coming out of a period of not much having  
5       happened for many years, and there was kind of a feeling of  
6       doing some things. And I think that was happening at the  
7       federal level too, because you saw a lot of creative things  
8       coming out of natural resources in the mid-60s. So, it's --

9               MS. BLEED: And of course, Nobby Tiemann was a --

10              MR. BARR: Yes.

11              MS. BLEED: -- strong leader --

12              MR. BARR: Yes.

13              MS. BLEED: -- to his detriment in the end.

14              MR. BARR: Well, yeah. I think he never -- I  
15       think originally he thought he probably was a one term-er,  
16       and then he got to thinking he would make it through. And  
17       pennies for Tiemann just did him in, as well as his happy  
18       farmer statement and some other things. But, he was  
19       certainly my favorite governor of the ones I've ever --

20              MS. BLEED: He got a lot done that's for sure.

21              MR. BARR: -- met. All though, we had some others  
22       interested in the -- Bob Crosby and Frank Morrison were  
23       always interested. You've no doubt heard their interplay  
24       with Frank asking Bob, "Why did they name the Republican  
25       River the Republican, was it because it was so shallow or so

1 crooked?"

2 MS. BLEED: Wide, shallow, and crooked.

3 MR. BARR: So, anyhow, those guys were involved,  
4 were very interested in water and had a big role in it in  
5 later years. As did Val Peterson, who was, in fact, a board  
6 member of the Lower Elkhorn NRD on the first board. So,  
7 you've had several --

8 MS. BLEED: And Val Peterson had been a governor?

9 MR. BARR: He had been governor prior to Bob  
10 Crosby, yeah. He had then been, I think, ambassador to  
11 Denmark as I recall.

12 MS. BLEED: Well, Jim, I'm running out of  
13 questions. Is there anything else you can think of we  
14 should add?

15 MR. BARR: Well, I don't know. It's been an  
16 interesting process, doing these interviews. Steve Gaul and  
17 I and Rachael Herpel took advantage of Warren Fairchild  
18 being in Lincoln at a meeting in 1994.

19 MS. BLEED: And I'm so glad you did.

20 MR. BARR: And we did that interview. And I think  
21 that has probably been, was the basis for this whole  
22 project. Because, if we hadn't had that, I don't know that  
23 I would've probably pushed like --

24 MS. BLEED: And you were the one who really pushed  
25 this project?

1 MR. BARR: Probably.

2 MS. BLEED: Don't say probably. You were.

3 MR. BARR: Being more irritating than others, yes.

4 MS. BLEED: Yeah. You definitely saw the need for  
5 this project, and I think one of the things that's very  
6 exciting about this project is, you know, you talked about  
7 why didn't the other states do something like the NRDs. And  
8 my understanding is that there's a lot of interest now in  
9 the NRDs. And the reality is, from looking at things, like  
10 your reaction to that, it's not easy to do --

11 MR. BARR: No. No. No.

12 MS. BLEED: -- when you have everybody with their  
13 own turf and their own way of doing things.

14 MR. BARR: And in fact, we might not have done it  
15 had we had a bicameral election -- legislature.

16 MS. BLEED: Tell me about that.

17 MR. BARR: Well, I mean, you're familiar with the  
18 unicameral and how we can move things through one house. We  
19 are also non-partisan, at least on paper. There is an  
20 element of partisanship in it, but there's also an element  
21 of contrariness in it that allows people to not have to  
22 follow instructions from their party. And having worked in  
23 the House of Representatives for many years, you see a great  
24 deal of instruction coming down. Having worked for the  
25 White House, you see that you have daily talking points that

1       you are all supposed to fall in line with. So, this has  
2       become a much more partisan atmosphere than I recall in my  
3       early years in state government. I've probably wandered off  
4       of your original question.

5               MS. BLEED: No. But, well, the original question,  
6       I guess, is we got it done.

7               MR. BARR: Yes. And it was close. I mean, I  
8       think, that last was one vote close. That was one vote  
9       close in the commission to even support it.

10              MS. BLEED: And if the governor had --

11              MR. BARR: Well, yeah.

12              MS. BLEED: -- vetoed it, it would have been done.

13              MR. BARR: Well, yeah. But, I mean, that was not  
14       an issue --

15              MS. BLEED: Yeah.

16              MR. BARR: -- because he was supportive of it  
17       throughout, and so was Clayton. And Clayton and, who was  
18       the -- now I can't think -- Larry Johnson was one of them  
19       and Dick Hoke (phonetic) was involved in the governor's  
20       office. I can't remember all of them. And they had a lot  
21       of young people involved. In fact, they were the whiz-kids.  
22       Doug was one of them. And it was a different time, and I  
23       was kind of hoping, maybe in the -- I better just shut up.

24              MS. BLEED: No. What were you going to say?

25       Hoping in the --

1                   MR. BARR: In one of the last competitive  
2 gubernatorial races that a different person would've won, as  
3 I thought we might have went into a period of a little more  
4 progressive action at that point.

5                   MS. BLEED: Enough said. Well, unless you have  
6 anything else you can think of --

7                   MR. BARR: Well, if I do, I'll do it when I  
8 interview you.

9                   MS. BLEED: Okay. That's fair enough. Thank you  
10 very much, Jim.

11                  MR. BARR: Okay.

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