

INTERVIEW OF
W. DON NELSON
February 18, 2014

1 MR. WILLIAMSON: This is Dayle Williamson. It's
2 February the 18th, 2014, and I'm doing this interview for
3 the NRD Oral History Project and the person I'm interviewing
4 today is W. Don Nelson.

5 Don, would you give us some of your background,
6 when you came to Nebraska, and how you got involved in the
7 natural resources districts?

8 MR. NELSON: My first contact was when I was
9 finishing up a master's degree in graduate school in
10 Tallahassee, Florida, and I was on a track that I did not
11 want to stay in Florida. Andrea and I got married two years
12 earlier and she was pregnant with our first daughter, Ann
13 (phonetic), and I thought it would be best to look around
14 the country and see what might be an interesting experience.
15 At that time, it was in the middle of the Vietnam War, and I
16 had been in the reserve officer training program as an
17 undergraduate, so I was a prime candidate for going overseas
18 and I had to build that into my thinking that, if I were
19 called for duty or drafted, that Andrea and our soon-to-be
20 child would be stateside while I was probably overseas for
21 at least a couple years. So, I was looking for some sort of
22 a temporary employment thinking it's probably going to need
23 to get interrupted.

24 As I looked around, I referred to a professional
25 journal. My master's program that I was working on, the

1 two-year master's in urban or regional planning, had sort of
2 a want-ads magazine that circulated nationally and I was
3 looking through that, periodically, and up popped an ad that
4 Doug Beureter, a long-time congressman from Utica, Nebraska,
5 who, at that point, was working for the governor, Norbert
6 Tiemann. And they had gotten a bill passed in the 1969
7 legislature to create the State Office of Planning and
8 Programming. Doug was recruiting staff members, put an ad
9 in this magazine, and I just slipped a one-page resumé in an
10 envelope and mailed it to Doug. A week later he called me
11 at home, we were having dinner, and said, "I'm really
12 interested in your background." I had already gotten a law
13 degree previously, I was a graduate from law school, and he
14 was really interested since he had a planning degree from
15 Harvard about the combination of law and planning at that
16 time. Those are the days when they didn't have a joint
17 degree program, where you could work on one and get both, so
18 I was actually enrolled at Florida State University as two
19 separate students; Don Nelson in graduate school and Don
20 Nelson in law school. Well, I finished law school and I was
21 actually admitted to practice law at the same time I was
22 finishing up the second year of my two-year master's
23 program.

24 Doug said he'd send me a plane ticket to fly out.
25 I came out in October of 1969. He and Louise, and Bob

1 Kuzelka, took me to my first dinner at the original
2 Valentino's across from east campus. And the second
3 evening, we dined at a place now out of business on 'O'
4 Street, Tony and Luigi's.

5 MR. WILLIAMSON: Good history. That original
6 Valentino's will be torn down soon.

7 MR. NELSON: Yeah, they'll both be, ex post facto.

8 So, I liked what I saw, Doug liked what he heard,
9 and he hired me on the spot. And I said, "Well, I've got to
10 go back to Tallahassee. I've got to finish up my academic
11 program and I've got to finish my thesis. I've got to take
12 my oral exams and get my master's degree. I've got a couple
13 of cases pending that are on appeal, and I've got to
14 transfer any case work and clients, and we'll be out around
15 the first of the year." He said, "That'll be fine." So, I
16 went back to Tallahassee. Andrea and I packed all of our
17 stuff. Went down to say goodbye to a bunch of our friends
18 in the Florida Keys and her parents, who were living on the
19 Gulf Coast, and off we came. First, we went to my sister's,
20 who's a long-time resident of Salina, Kansas. We
21 stayed -- spent the holidays with her and the family. Came
22 up to Utica and crashed with Doug and Louise in their home
23 in Utica, and commuted every morning to Lincoln to look for
24 a place to stay and get settled in.

25 So, I actually went on the payroll the very first

1 working day of 1970. That was election year. The then
2 governor, incumbent Norbert Tiemann, was running in the
3 republican primary against Clifton Batchelder, a rather
4 spirited partisan primary. An awful lot of our friends who
5 were democrats had changed their party registration so they
6 could vote for Nobby Tiemann in the republican primary. And
7 in all of 1970, I made a lot of friends and my job was to
8 work on regional government efforts that Doug was promoting
9 at the time, as was Governor Tiemann. Doug didn't like to
10 fly around with the governor a lot, so when Nobby held his
11 town hall meetings, I was assigned the task of going on the
12 road with other department heads to tell the story of state
13 government with Governor Tiemann in municipal auditoriums or
14 legion clubs, or wherever we had these town hall meetings.
15 And the governor and I got to meet each other and work
16 together as a result of that travel together.

17 I didn't really become acquainted with
18 soon-to-become Governor Exon, but I did know a lot of the
19 people who were working on his campaign. And because Andrea
20 and I were democrats and because we were odd immigrants to
21 Nebraska, being democrats from the south, we went to a
22 number of party activities and got introduced to people who
23 were active in the Democratic Party and some who were very
24 active in the Jim Exon campaign. I watched from a distance
25 the primary where Jim Exon was running against Jules

1 Burbach, a state senator from Crofton, Nebraska, and I
2 noticed that it seemed to me that Candidate Jim Exon was
3 less than enthusiastic about this new concept of
4 consolidating natural resource regional and local agencies,
5 and to this new approach called the Nebraska Natural
6 Resources District. And I noticed that the Exon tribe
7 generally was surrounded by people that I knew from a
8 long-time project in irrigation and electric production that
9 most old-timers still refer to as Tri-County. Now the more
10 modern name is the accurate name, Central Nebraska Public
11 Power and Irrigation District.

12 So, I poked around and I found out, as a result of
13 my research, that most of the Exon tribe had their
14 admiration for this new natural resources commission and
15 Governor Tiemann effort called Consolidation of Natural
16 Resources Agencies. So, I kept my ear to the ground and I
17 kept learning, and I kept watching what was going on. I
18 think, if I recall correctly, that Jules Burbach's campaign
19 manager was later to become State Senator Bill Harris and
20 then, later, the Mayor of the City of Lincoln. I also knew
21 that the Harris tribe in McCook, Nebraska, generally, and
22 particularly the publisher, Alan Strong (phonetic), was no
23 great fan of Governor Norbert Tiemann. There had developed
24 a little dust-up between the governor and the powers that be
25 in McCook, and the governor had made a few unkind references

1 to McCook, Nebraska, and Red Willow County that I think
2 referred it to a body part of the lower extremity. So, they
3 were not happy with him and he was perfectly happy to go on
4 about his business pursuing his efforts. And I -- if I
5 recall correctly, the Tri-County slash Central Nebraska
6 folks were less than enthusiastic about this concept and a
7 lot of Jim Exon's campaign advice, and later advice to his
8 natural resources and his state government in general, came
9 from Phelps County in Holdrege, Nebraska, which is the home
10 base of Tri-County slash Central Nebraska. He was also very
11 close to a lot of the democrats in Hastings, Nebraska.
12 Hastings is the county seat for Adams County, Nebraska,
13 which originally, under the Tri-County plan, was to be the
14 eastern county member of Tri-County. And so, there was
15 still a lot of good-will within the Exon camp and the Adams
16 County supporters of his candidacy to the extent that I
17 often felt that some of his Adams County supports were not
18 going out of their way to compliment this effort that
19 Governor Tiemann was pushing to consolidate natural
20 resources agencies of all types into districts.

21 Low and behold, Jim Exon beats Jules Burbach and
22 subsequently beats Governor Norbert Tiemann, the incumbent.
23 Well, in our office, the State Office of Planning and
24 Programming, the director's appointed by the governor
25 because, under the law that was passed, it was the governor

1 who was the state planning officer and so technically all of
2 us in the employment in the office, the State Office of
3 Planning and Programming, were direct employees of the
4 governor. So, we all wondered what was going to happen,
5 except for Doug Bereuter. He knew, of course, he was a
6 goner so he diplomatically resigned his position. And
7 because I had gotten to know a number of the people in the
8 incoming Exon administration, they began to talk to me about
9 the possibility of taking over the leadership of the State
10 Office of Planning and Programming since Doug Bereuter had
11 resigned. We later struck a deal that, because I really did
12 not know Governor Exon, he did not know me personally, the
13 best course of action I suggested was one he liked, which
14 was, I would get appointed as the acting director, we'd have
15 a shakedown cruise, he'd look me over, I'd look him over,
16 and if things worked out then he could appoint me as the
17 permanent head of the State Office of Planning and
18 Programming, but if he didn't like what he saw or I didn't
19 think I was compatible with what he wanted to do, we could
20 go our separate ways and he could appoint someone else.
21 Well, sort of mid-year that year, 1970, he called me in the
22 office and said, "I like what I see. If you like what you
23 see, let's make it permanent," and it was.

24 The state law authorizing the formation of the
25 natural resources district system was passed in, I recall,

1 in 196- --

2 MR. WILLIAMSON: Seven.

3 MR. NELSON: -- 7.

4 MR. WILLIAMSON: 1967. It went into effect July
5 the 1st, 1972, so you had a couple years in there that you
6 could become familiar with it, because we were doing a lot
7 of organizational work.

8 MR. NELSON: Exactly. And we were having lots of
9 meetings and lots of organization with you, Dayle, and your
10 boss, Warren Fairchild (phonetic).

11 MR. WILLIAMSON: Right.

12 MR. NELSON: Doug Bereuter had not only hired me
13 in the State Office of Planning and Programming, but Bob
14 Kuzelka, a Norfolk native, who was working in the model
15 cities program down in Tulsa, Oklahoma, so he hired Bob, got
16 Bob to come home to Nebraska. Doug also hired Jim Barr, who
17 was a classmate of Clayton Yeutter on east campus and went
18 to work on a master's program either at the University of
19 Michigan or Michigan State, and Jim had come back and I
20 think he was working at the Game and Parks Commission.

21 MR. WILLIAMSON: Game and Parks when he came to
22 your office.

23 MR. NELSON: And so, he then moved to work so it
24 was the four of us, Doug and Bob and Jim and myself. Also,
25 the State Comprehensive Health Program was moved to our

1 office and that was headed by a retired state senator from
2 Humbolt, Calista Cooper Hughes, and also the Office of
3 Highway Safety, which was headed by a retired coach and
4 educator from Deschler, Nebraska, Dave McLaughlin
5 (phonetic), and he had two employees, Rod Hutt (phonetic)
6 from Grant, Nebraska, as well as Jim Wehrwein, who was a
7 Michigan native, but served in the Air Force and got
8 discharged here in Lincoln, where he was in air police
9 enlisted man and he stayed here, and he worked for the
10 Department of Corrections, which didn't have that name yet,
11 but he actually worked out at the boys training school in
12 Kearney with Dan McCarty (phonetic), who ran that facility.
13 And so we all sort of became a team of about 20 people in
14 the State Office of Planning and Programming.

15 Jim was well-acquainted with what I'll refer to as
16 the NRD law, the 1967 law. We knew we had the rest of '67,
17 '68, and '69, and then the early '70s, to actually fish or
18 cut bait on the law. I think an intern in the governor's
19 office in 1969, who is now a senior lawyer at the Law Firm
20 of Cline Williams, was David Buntain, and I think David was
21 a law school intern that actually worked in the late '60s on
22 drafting and fine-tuning the law. And, of course, there
23 were a jillion things that needed to be done and I could
24 sense that, while Jim and I were moving forward on the
25 assumption that this was all going to become fully

1 implemented in the early '70s, that we felt that we were
2 lone rangers in the Exon administration and we needed to do
3 some remedial education among our mates on the Exon team so
4 that there was not a huge amount of friction or opposition.
5 So, slowly we began to have these conversations with the
6 governor's administrative assistant, Norman Otto (phonetic),
7 with the governor himself, with other agency directors, and
8 also the newly appointed Nebraska Department of Agriculture
9 director, Glen Krusier (phonetic), who, before his
10 appointment, was the long-time farm editor and columnist for
11 the Lincoln Journal. In those days, there were two papers
12 in Lincoln, Nebraska, one in the morning, the Lincoln Star,
13 which was a Lee Enterprises paper, and the Lincoln Journal,
14 which was the afternoon paper, which was a locally owned and
15 operated family paper, the Seacrest Family. It wasn't until
16 many, many years later, maybe 20 years, before those papers
17 were merged in today's modern version, the single Lincoln
18 newspaper, Lincoln Journal Star.

19 So, the reason I mention Glen is that he was an
20 actor in the implementation of the NRD legislation, but I
21 think it's fair for me to say no huge cheerleader of this
22 merged natural resource district concept. I think it would
23 be fair to say that my conclusion early, in the early days
24 of the Exon administration, was that many long-time
25 well-respected agricultural production ranchers and farmers

1 pretty much had an interest that was vested in many decades,
2 either serving on these specialty boards or having friends
3 on these specialty boards, or doing business with these
4 specialty boards. So, I sensed, like most human beings,
5 they felt somewhat threatened by this new kid on the block
6 that had arrived, called NRDs, even though the new kid on
7 the block hadn't moved in yet.

8 MR. WILLIAMSON: Yeah. That's good information.
9 When you mentioned Glen Kruescher, that reminded me, in
10 1970, you were here and the Lincoln Journal, on July the
11 26th, 1970, had this to say about it, and I'm quoting, it
12 said, "Thirty-three-headed bueratic boondogger would create
13 a state-controlled tax-eating monster with the power of
14 eminent domain." So, that's some of the things you guys had
15 to overcome there if you and Jim Barr were working hard in
16 the governor's office to tone this down a little bit.

17 MR. NELSON: Well -- and, if my recollection is
18 correct, Dayle, that may have been one of Glen's more
19 moderate statements.

20 MR. WILLIAMSON: Oh, I'm sure that's right. He
21 had a couple guys that we called the gold dust twins that he
22 worked with so --

23 MR. NELSON: I understand, yes. So, slowly but
24 surely, I think we began to sense that Governor Exon and his
25 advisers begin to see some merit in what was taking place.

1 And, of course, once you become governor and become
2 acquainted with how complicated both state and local
3 government is, you become a much greater fan of
4 simplification and consolidation than you were as an
5 outsider. Nevertheless, we continued to consort with the
6 Phelps/Holdrege/Central Nebraska tribe because they were our
7 friends. And as I said to many of my colleagues, one of my
8 favorite expressions when the Kennedy loyalists were trying
9 to persuade then-President Lyndon Johnson, to do something
10 that President Kennedy, in his life, could never accomplish,
11 which was to banish J. Edgar Hoover, it's reported to me, by
12 people who probably ought to know, that Lyndon Johnson
13 called them in the office and says, "Boys, it's better to
14 have Edgar inside our tent pissing out than outside our tent
15 pissing in." And I felt that way about the so-called
16 Tri-County Central mafia that we ought to work with them and
17 not try to push back, try to understand what was the source
18 and intensity of their opposition, and work cooperatively
19 rather than antagonistically.

20 Governor Exon was one to make very liberal use of
21 their facilities so, when we would travel out there, many an
22 evening we'd stay at their lovely lodge on Jeffrey Lake, and
23 many very important decisions were made in the Exon
24 administration on either Central Facilities' property or
25 with them as active and helpful discussants as well. Dick

1 Durmeier (phonetic) is a name that comes to mind. Frank
2 Dragoon (phonetic) later. The banker there at Holdrege
3 State Bank was one of Jim Exon's favorite bankers --

4 MR. WILLIAMSON: Mr. Hove (phonetic), was that it?

5 MR. NELSON: Well, no, he was Minden.

6 MR. WILLIAMSON: Oh, that was Minden.

7 MR. NELSON: He was over in Kearney County.

8 Shep (phonetic), I'll think of his last name in a second,
9 was the president of the bank in Holdrege and I can't recall
10 if Shep was on the Central Nebraska Board or the NRD
11 Commission, I don't think so, but I'll think of his last
12 name, a very nice gentleman and sort of a well-known leader
13 in both banking and finance. We continued to have a greater
14 degree of support in the Exon administration. And I can't
15 recall, Dayle, when it became really obvious that the NRDs
16 had crossed over the Rubicon and they were going to become
17 fully enacted -- fully active and would be the new waves,
18 and the old free-standing specialty purpose soil and water
19 districts of various types were either going to get merged
20 into these newly formed NRDs or would just go away.

21 MR. WILLIAMSON: Well, I think we had a lot of
22 confidence, Don, that that would happen, but just 25 days
23 before the final implementation date, on July the 1st, 1972,
24 a lawsuit was filed to stop everything. And that, of
25 course -- and then, a couple years later, the Supreme Court

1 even ruled on it. So it was -- we were confident, but it
2 was right up -- sort of right up to the wire because we were
3 in Lancaster County District Court just, as I recall, a
4 couple days before the operative date.

5 MR. NELSON: Oh, yeah. And that was always in our
6 mind that, if anybody spooked the governor with any of these
7 lawsuits or gave him an excuse to be less than enthusiastic,
8 we needed to be fully supportive and be able to jump into
9 action and provide all the research necessary that he might
10 ask about or ask us to go out and pull together. And he
11 became progressively more comfortable with what was
12 originally called the Nebraska Soil and Water Conservation
13 Commission --

14 MR. WILLIAMSON: Commission. That was --

15 MR. NELSON: -- and then the Natural Resources
16 Commission. And, you know, you and he bonded. Warren moved
17 on to bigger and better things on the east coast, and then
18 you took over and things just worked out well. And even
19 though, in the early days, you were not a code agency or a
20 gubernatorial appointee, none of us that were thought for a
21 minute -- and treated you differently than a member of the
22 tribe.

23 MR. WILLIAMSON: I went to all the code agency
24 meetings by order of Norm Otto.

25 MR. NELSON: Yeah, from day one. Yeah, you were

1 actually welcomed and encouraged to be part of the tribe so
2 it worked out well for everybody.

3 MR. WILLIAMSON: Yeah.

4 MR. NELSON: Senator Exon embraced the NRDs, went
5 on to have a lopsided and very successful second term. I
6 moved on to Wyoming when it became obvious to me, from a
7 conversation I had with Senator Exon, that he was going to
8 run for Senator Carl Curtis' seat because he was retiring
9 and I told Governor Exon that I still had two young
10 daughters that were not going to go any further east than
11 Council Bluffs, Iowa, so when an offer came from Cheyenne,
12 Wyoming to join Ed Herschler's (phonetic) staff in the
13 governor's office in Wyoming, the Nelsons pulled up stakes,
14 moved to Cheyenne for seven and a half years, and then Bob
15 Kerry turned the tables and hired me and drew us back. So
16 we've had two opportunities to move to Lincoln and took them
17 both.

18 MR. WILLIAMSON: Well, that's really good. Let's
19 bounce back a little bit to the Tiemann administration. Jim
20 Barr and I did have the opportunity to interview Clayton
21 Yeutter, who was Governor Tiemann's chief of staff for a
22 short time, at least a couple years, I think. And he told
23 of how many things that that administration had, changes,
24 including the sales tax because the tax had been voted out
25 and everything. So, you worked for them a while and say

1 something about the Tiemann administration, all the things
2 going on as you came into the state of Nebraska.

3 MR. NELSON: Well, Nobby, by reputation, well
4 deserved I might say, was a very progressive
5 middle-of-the-road republican. And so he was eager to
6 recruit bright, talented young people, including Doug
7 Bereuter, Clayton Yeutter, Jim Hewitt, lots of other
8 talented people, many of whom, because I worked for Doug
9 Bereuter, helped me gain my admission to the Nebraska State
10 Bar and Supreme Court approval of my practice of law in
11 Nebraska. I'd been admitted to practice in Florida and the
12 federal courts, and there was a process back then where I
13 could be admitted -- what's called "admitted on motion"
14 because of my prior admission and experience in Florida.
15 And they were very helpful and they were referred to as
16 Tiemann's whizkids from the old radio and television program
17 of young smart people who knew a lot. And so, I was in
18 admiration of the whizkids and they were very helpful to me.
19 They took me under their wing and they were mentoring me.
20 And I was really eager and making sure that my ears were
21 bigger than my mouth and I was here to learn and it helped
22 me a lot. And all of these things were very progressive
23 ideas and I suppose, in many respects, that's what caused
24 Doug Bereuter to hire me is, I shared this curiosity, I
25 shared this eagerness to learn and change things. And what

1 brought me to Nebraska was, I was familiar with Nebraska
2 because of my sister and her family in Kansas, and her
3 husband actually had spent his formative years in Hastings,
4 Nebraska. His dad was what was called the traffic manager
5 for the Hastings Chamber of Commerce, which, in those days,
6 was sort of the go-between between commerce industry and the
7 railroads, and lining up railroad traffic -- in and out
8 traffic. So, I was intrigued when I saw this ad that Doug
9 had placed in TAB (phonetic) and I thought, "You know, that
10 Nebraska is a very interesting state." I looked at Nebraska
11 as the Athens of state government. I had a political
12 science professor, Ernest Bartley (phonetic), who had gone
13 to the University of Nebraska and gotten his degrees here,
14 and he told me a lot of stories about the unicameral and
15 about the non-partisan nature, and I admired Nebraska and I
16 thought, "Gee, if I'm interested in state government, this
17 is the place to go and learn because it's the Athens of
18 state government. They invented unicameralism. They
19 invented non-partisan legislature. They invented center
20 pivot irrigation. They invented public power. They've got
21 one of the best -- and, at that time, brand new educational
22 television and radio networks. All of these interesting
23 things are going on in Nebraska. We'll go there a couple
24 years. I'll probably end up getting pulled into the Vietnam
25 War and I'll either get my butt shot off or I'll come back

1 and reclaim the family and we'll go on with life from
2 there." So I thought it was a great, great opportunity to
3 come and be here, and part of that. And the Tiemann
4 administration and their whizkids teams, and the governor
5 himself, was a great, great introduction to Great Plains
6 society, Great Plains culture, ethics, and it's still with
7 me.

8 MR. WILLIMSON: Well, Don, you brought up many,
9 many great things of history, which is almost a half-century
10 ago, and it's really great for our oral history project here
11 for the NRDs and all the other things that were going on at
12 the same time, and your interconnection between those two
13 governors, to make sure that that happened, because you've
14 got to have the governor's support to get this done and you
15 certainly need the legislature's support. As you mentioned,
16 there was a lot of problems with the law. It needed some
17 technical corrections as we went along and we had positive
18 help to do those technical corrections, and everybody worked
19 together after a while. It was tough early.

20 Would you have anything else to add for our
21 conversation here today?

22 MR. NELSON: Just for those people that may listen
23 to this recording decades from now, take some of this with a
24 grain of salt because, after all, there were hundreds of
25 people that made the NRD movement the international success

1 that it is. There were hundreds of people that worked for
2 Jim Exon and I was just one out of many, and I'm sure there
3 were a lot of conversations that went a long way to convince
4 him that the future rests, among many things, within the NRD
5 system. So, I was pleased to play a minor role. I was
6 pleased to have great people like our team at the State
7 Office of Planning and Programming, and all of us working
8 together, in addition to the internal staff of the
9 governor's office, to make this work and move forward.

10 MR. WILLIAMSON: Well, thank you very much for a
11 great interview on this 18th day of February, 2014. Thank
12 you.

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