

**MINUTES**  
**Middle Republican Natural Resources District**  
**Adjudicatory Hearing**  
**Tuesday, July 8, 2014 at 7:30 pm**  
**Curtis, Nebraska**

**Board Members Present:** Kevin Fornoff, James Uerling, Buck Haag, Steve Cappel, Bill Hoyt, Benjie Loomis, Joe Anderjaska, Brad Randel, John Palic, Blaine Stinson, Rick McConville

**Board Members Absent:** None.

**NRD Staff:** Jack Russell, Bob Merrigan, Sylvia Johnson and Stacie Owens

**Hearing Officer:** Larry Baumann

**NRD Attorney:** Jon Schroeder

**Applicant:** Ryan Wood, Medicine Creek LLC

**Applicant's Attorney:** Stephen Mossman

**Court Reporter:** Muffy Morris

**Other Witnesses:** Allen McGregor

**ADJUDICATORY HEARING**

**1. CONVENE HEARING.** The hearing was called to order by Vice Chairman McConville at 7:32 p.m. The agenda was circulated to those present.

**The Board Secretary recorded those present. This hearing was recorded by a court reporter. Transcript and Exhibits will be filed at the Middle Republican NRD, Curtis, Nebraska.**

**2.** Notice of the hearing was published in the **North Platte Telegraph** and the **McCook Daily Gazette** and was posted at the **MRNRD office**. As a courtesy it was also provided to local radio stations. Guests should also note the location of a current copy of the statutes dealing with public meetings.

**3. STATEMENT OF PURPOSE**

The purpose of this hearing is to receive evidence and testimony concerning the denial of a request for a variance from the District's Ground Water Management Area, Rules and Regulations. Specifically a request from Medicine Creek LLC to drill a new well, denied by the Board of Directors at our April 8, 2014 regular board meeting.

Vice Chairman McConville named Larry Baumann as the hearing officer and turned the hearing over to him.

**4. OPENING STATEMENTS AND/OR ORAL ARGUEMENTS**

Baumann stated the reason for the hearing and explained the process.

Haag arrived at 7:49 pm.

Mossman called his first witness, Ryan Wood. Wood identified himself as the sole owner of Medicine Creek LLC. Through questioning Mossman asked for explanation of selected exhibits, purpose for the request and additional adjustments he wished to make to the application. Change was accepted and application amended. Schroeder then questioned applicant on development in the area where the intended well would be drilled.

Mossman then called Allen McGregor as his next witness. McGregor identified himself as the tenant of the property the proposed well would be drilled. He provided explanation of the request, exhibits through questioning from Mossman. Schroeder cross examined the witness on a number of items as well as the declines in the proposed area.

Schroeder called Bob Merrigan to the stand. Merrigan identified himself as the Assistant Manager of the Middle Republican NRD. Schroeder, through questioning, went over a number of the exhibits and asked for explanation of such as well as addressing the percentage of the development and declines in the area of the proposed well.

Baumann called for a break at 9:14 pm.

Hearing resumes at 9:21 pm

Additional cross examination of McGregor and Merrigan was done by both parties.

**5. EXHIBITS**

1 – 29 introduced by Mossman

30 – 51 introduced by Schroeder

The hearing was closed at 10:21 p.m. by Hearing Officer Baumann.

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Stacie M. Owens  
Secretary to the Board