

April 1, 2008

Dear Past Shooters:

Hello again!! It's been a long winter in the Sandhills of Nebraska but the grass is sheepishly trying to poke its head out knowing it stands a damn good chance of getting frozen off!!

This is to ask you to start thinking about nominations to the Past Shooters VIP Team for the '08 hunt. What better gift could you give a good friend but to introduce them to the "Best Hunt in America"! It is truly amazing the number of good friends I have gleaned over the past thirty years from the One Box! I have gone to their place to fish and hunt and they to mine! There comes a time in our hunter lives where we enjoy the camaraderie more than the hunt. Well, I'm getting there! I like going to my friends as they think about things the way I do, they react to the world like I do and we become very much alike the longer we are together. I've always said, "If you don't know someone, but you know his best friend, you know him"! When you are nominating an individual, make sure that person would enjoy the One Box. I'm always amazed at the comments from new shooters who say to me, "I had no idea there was anything in the world like the One Box, the only way you can understand what the One Box is, is to experience this wonderful event!" It is very hard to put into words, but I am asking as your friend, previous dog handler and shooter: "Please make an effort, for me, to get a VIP member nominated." Not everyone is going to get the opportunity to shoot in the 50<sup>th</sup> Anniversary Hunt, this year and next year's VIP team members will!! The individuals we select for this team represent us, so nominate some good ones!!

Now the particulars:

- This year's hunt is scheduled to begin on Thursday, November 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> and conclude with our Past Shooter meeting on Sunday, November 9<sup>th</sup>.
- All applicants for the VIP Team must be 21 years old
- Entry fee of \$750.00 must accompany the application
- Every Past Shooter is eligible to nominate a candidate for the VIP Team
- Candidates should be individuals who would enjoy our format, support the hunt and return in future years
  - Celebrity applicants are encouraged, if they fit the above
  - Deadline for applications is May 15, 2008
  - Please send your applications to our Past Shooter Executive Secretary, Elaine Bayer, P.O. Box 294, Broken Bow NE 68822

It will come as a surprise to you some of you, but we still have the hunt even if you don't show up! What this means is you missed a very good time and you may not have sent in your annual dues. Therefore, you need to keep your annual dues current. If you do not

pay your annual dues for three years, you will be removed from the Past Shooter list. To be reinstated you will be required to purchase a Full Life Membership of \$250.00, a very reasonable fee for a life membership. If you are delinquent, there is an invoice enclosed showing the amount. Please get caught up and come back this year!

Last year we had some outstanding Past Shooter Hall of Fame nominations. Bill Peters and Carl Norden were inducted into our Hall. Please give consideration to nominating an individual who has exhibited exceptional support of the Hunt and the Hunt's events. This individual does not have to be a Past Shooter. The nomination must be in writing stating the reasons this person should be considered. It should be returned to Elaine Bayer by May 1, 2008.

I am asking each of you to send an update of your address, phone numbers and email addresses to Elaine to provide accurate information for the Past Shooter list. Elaine's email address is [elbayer@gpcom.net](mailto:elbayer@gpcom.net). Update your info here. How many of you would like to sign up to receive the newsletter electronically? Contact Elaine by email for this consideration.

#### Message from Butch Brunken, Past Shooter Board Member

I hope you are enjoying Pat's newsletter. We need communication. If you haven't been back for awhile, please try to attend this year's hunt and see the success of our Pheasant surrogate program – it's helping to increase the pheasant population. We would like to see as many Past Shooters attend as possible. We need your input to help us make plans for our 50<sup>th</sup> year celebration that is coming up real soon. Hope to see you this year.

#### Message from Jim Duncan – Litigation Update

Some of you have been aware of the ongoing lawsuit against the Foundation brought by a neighbor of the gun club who complained that the sound from the shooting was a nuisance and that they had been physically injured as a result of either being hit by shot, or injured by their startled livestock. The Foundation board was unable to come to an agreement with the neighbors and a jury trial took place February 26-29, and ended with the jury returning a verdict in favor of the One Box and finding that the shooting at the gun club was not a nuisance.

As a bit of background, prior to the purchase of the land in 1999, the Foundation board had gone to each of the neighboring landowners and asked if they would object to the shooting range being built in its current location. None of the neighbors indicated that it would be a problem. Had any of the neighbors objected prior to the purchase of the land, the Foundation Board would have looked elsewhere for land for the facility. The Foundation board became aware of the issue in late 2000 and there had been an unsuccessful attempt at mediation in 2001. The latest round started in October 2004 when the lawsuit was filed.

The plaintiffs did not make any indication of what they were actually wanting from their lawsuit until about a week before trial, and they made it a condition of settlement that the trap and skeet fields be repositioned to shoot in a different direction, which they thought would lessen the sound levels at their residence. The plaintiffs' proposal presented several problems: it would have created problems with trap and skeet shooters being forced to shoot into the sun at certain times of the day; it would have created problems of

shooting trap, skeet and sporting clays at the same time because of shot fall onto the sporting clays range from trap and skeet; it would have also created the possibility of shot from the trap ranges falling onto the road north of the range; it would have actually moved the shooting closer to their residence; and it would have been quite expensive to move the 2 skeet and 2 trap fields to new locations. The Foundation board offered the plaintiffs a straight cash settlement prior to trial and that offer was also refused.

The One Box tries very hard to be a good neighbor and a good member of the community and regretted that there was a neighbor that had complaints; however, the One Box offered several alternatives to the plaintiff's both at the mediation in 2001, as well as in the last-minute negotiations prior to trial, and one of those offers were acceptable to the plaintiffs. It is regrettable the matter could not have been settled to the mutual satisfaction of both sides and that is had to end up going to a trial, but now that it is over and the jury found in favor of the One Box, we can hopefully move on and continue our efforts to be a good neighbor and continue with our service and contribution to Custer County and the surrounding area.

As of this writing, we don't yet know what the final cost of defending the lawsuit is, however, we expect that it will be significant, and hopefully, despite the cost of the litigation, the Foundation will be able to provide the same level of scholarships and habitat for 2008-09 as in previous years and also continue to support the youth shooting programs as well as the other activities which the One Box has supported in the past.

If you have questions, or would like more information about the lawsuit, contact Jim Duncan at 308-870-1296 or by email at [jduncan@sdbj-law.com](mailto:jduncan@sdbj-law.com).

We lost a wonderful fellow hunter this past week, Doc Arnold. Doc was one of our founding fathers of the One Box. He contributed to every aspect of the hunt: a giver, always ready with a smile, a joke and "How the hell are ya!" comment. Doc was never one to complain but was always ready with a well thought out opinion. He will be truly missed...I already miss him!! Please make this November's hunt a memorial for Doc by your attendance.

Enclosed is an application for the VIP Team. Please print off copies as needed. If you need any help, please feel free to contact me, Pat Keslar, 708 West Hwy 2, Hyannis NE 69350; home phone 308-458-2827/cell phone 308-458-8100. My email address is [pkeslar@neb-sandhills.net](mailto:pkeslar@neb-sandhills.net). Feel free to contact me with your thoughts and ideas on the Hunt and our 50<sup>th</sup> Anniversary Hunt coming in two years. I'd love to hear from you.

Take care and God Bless each of you!! See you this fall!! Thanks.

Pat