

Opportunities for Participation in Permitting Process

(Instructions for Responding to the Notice of Application)

Notice has been given by the Department of Natural Resources that an application for a permit for a surface water right has been filed with the Department. As a result, the public has two options to respond to the notice of an application having been filed. A person may either submit a comment (Option 1) or if a person has a sufficient interest, a person may submit a formal objection and request a hearing (Option 2).

Option 1: Any person, without qualification, may provide the Department written comments on the application. No fee is required, but your written comments must include:

- 1) The application number to which you are commenting on
- 2) An indication that your comment is offered under Option 1
- 3) Your name, address, and contact information
- 4) Your written comments, which may include facts and/or information showing whether the proposed appropriation would be detrimental to the public welfare and whether denial is demanded by the public interest (See *Neb. Rev. Stat.* §§ 46-234 and 46-235)

Option 2: Only a person with a legal right or interest that may be affected by granting the application should utilize Option 2, which requires an objection and request for a hearing. Option 2 should not be used unless you intend to support your position at a formal hearing. Each person choosing Option 2 must submit a \$10 legal filing fee for each application to which an objection is made. In addition the following must be submitted for each objection:

- 1) The application number to which you are objecting
- 2) An indication that your objection is offered under Option 2
- 3) Your name, address, and contact information
- 4) A description of your legal right or interest that may be affected by granting the application
- 5) A written statement, including whatever facts you currently have, of how your legal right or interest may be affected by granting the application

Your complete response under Option 1 or Option 2 must be received by the date specified in the public notice at the following address:

Department of Natural Resources

PO Box 94676

Lincoln, Nebraska 68509-4676