

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER RESCINDING CANCELLATION OF WATER APPROPRIATION A-15159

WATER DIVISION 2-A

Background

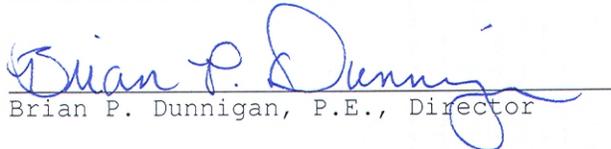
1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15159 was last held by Richard L. Hartman.
2. On March 16, 2009, the Department issued the Notice of Preliminary Determination of Nonuse of Surface Water Appropriation A-15159. The Notice advised that failure to file a contest of the preliminary determination by April 16, 2009, would result in cancellation of A-15159. The Notice was delivered by certified mail to Richard L. Hartman, 5075 south Locust, Grand Island, NE 68801.
3. On April 15, 2009, Richard L. Hartman contacted the Department by telephone to note that he wished to contest the preliminary determination. Department personnel advised Hartman that his intention to contest was received timely and that a filing of the contest would be allowed if filed forthwith.
4. An Order of Cancellation in Full of Water Appropriation A-15159 was issued April 17, 2009.
5. A contest of the Preliminary Determination of Nonuse was received in the Department on April 17, 2009, in an envelope bearing a postmark of April 16, 2009.

Order

IT IS HEREBY ORDERED that the Order of Cancellation in Full of Water Appropriation A-15159 issued on April 17, 2009, is rescinded and that the contest of the Preliminary Determination of Nonuse of Surface Water Appropriation A-15159 filed by Richard L. Hartman be set for hearing.

DEPARTMENT OF NATURAL RESOURCES

April 20, 2009


Brian P. Dunnigan, P.E., Director