

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION NEX-2338

FOR WATER APPROPRIATION D-680

WATER DIVISION 1-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation D-680 is held by Central Platte Natural Resources District (CPNRD).
2. Appropriation D-680 has a priority date of October 22, 1894, and authorizes the appropriator to divert water from the Platte River via the Six Mile Canal headgate for irrigation and incidental underground storage.
3. On May 15, 2012, CPNRD and individual landowners filed in the Department Application NEX-2338 for a Permit for a Non-Expedited Transfer, requesting to temporarily transfer the purpose of use and the location of use of surface water appropriation D-680.
4. On May 24, 2013, Nebraska Public Power District (NPPD) timely filed in the Department Objection and Request for Hearing regarding Application NEX-2338 creating an administrative contested case 2013-21-CC-1 before the Department. Notice of the Objection was subsequently issued to the Applicant, and it was answered on September 13, 2013, with a denial and request for continuance of the action pending settlement negotiations with the Objector NPPD. The hearing officer then granted the continuance for ninety days.
5. On October 7, 2013, CPNRD filed in the Department correspondence requesting dismissal of Application for Non-Expedited Transfer, NEX-2338, for surface water appropriation D-680.

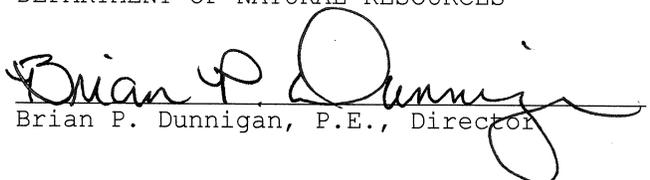
ORDER

IT IS HEREBY ORDERED:

1. Application NEX-2338 is DISMISSED.
2. Therefore, with no remaining subject matter for a contested case hearing, case 2013-21-CC-1 is also DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

October 17, 2013

  
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Bridgeport. A copy of this Order was mailed on October 17, 2013, to the following:

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