

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER CANCELLING PERMIT TO TRANSFER GROUNDWATER FOR MUNICIPAL USE

The Director of the Department of Natural Resources (Department) cancels Permit A-10545, a permit to withdraw and transfer 2,000,000 gallons per day from two public water supply wells, identified as A-010545A and A-010545B and located in Section 34, Township 8 North, Range 7 West of the 6th P.M. in Clay County, Nebraska, for municipal uses in the service area of the City of Harvard.

The City of Harvard filed in the Department notices of water well decommissioning for wells A-010545A and A-010545B in 2004 and 2006, respectively, and has not constructed replacement wells for these decommissioned wells. Thus, the City of Harvard has not withdrawn and transferred groundwater under permit A-10545 for more than five consecutive years.

On December 9, 2014, the Department issued a Notice of Preliminary Determination of Nonuse of Permit A-10545. The Notice was displayed on the Department's website for 30 days and was delivered by certified mail to the City of Harvard. No contest of the Preliminary Determination of Nonuse was received in the Department.

It is therefore ORDERED that Permit A-10545 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

January 22, 2015


James C. Schneider, Ph.D.
Acting Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing, in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of \$10.

A copy of this Order cancelling Permit A-10545 was posted on the Department's website and provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed on January 22, 2015, to the following:

City of Harvard
309 North Clay Avenue
P.O. Box 542
Harvard, Nebraska 68944

John Turnbull, Manager
Upper Big Blue Natural Resources District
105 North Lincoln Avenue
York, Nebraska 68467