

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION A-17958

FOR A PERMIT TO APPROPRIATE WATER

WATER DIVISION 2-D

BACKGROUND

1. On February 26, 2001, Ray Grantham filed in the Department of Natural Resources (Department) application A-17958 for a permit to appropriate water for power production purposes. Application A-17958 requests diversion of 200 gallons per minute from Deadhorse Creek at a site located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 32 North, Range 49 West of the 6th P.M. in Dawes County.
2. On November 3, 2004, the Department issued an Order declaring a formal moratorium in the White River Basin on the issuance of new surface water appropriations.
3. On January 31, 2005, Ray Grantham filed in the Department petition V-5 for Leave to File or Consider an Application for a New Surface Water Appropriation within a Moratorium Area.
4. On August 26, 2007, the Department granted petition V-5 for leave to file an application for a permit to appropriate water.
5. On February 6, 2015, the Department requested additional documentation regarding application A-17958. The request was delivered by certified mail to Ray Grantham, 74 Grantham Road, Chadron, Nebraska 69337.
6. On February 10, 2015, Connie Moore, on behalf of Ray Grantham, received notification of the deficiencies of application A-17958.
7. *Nebraska Revised Statutes* § 46-233 (3) provides that an applicant shall file the corrected application within ninety days of receipt of such notification.
8. The required additional documentation to complete application A-17958 was not submitted to the Department within ninety days of receipt of notification. Therefore, application A-17958 should be dismissed.

ORDER

IT IS HEREBY ORDERED application A-17958 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

October 15, 2015



Gordon W. Fassett, 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, Nebraska. A copy of this Order was mailed on October 15, 2015, to the following:

Ray Grantham
74 Grantham Road
Chadron, Nebraska 69337