

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of Application)	Case No. 2018-16-CC-1
A-19594 For An Interbasin Transfer)	
From the Platte River to the)	ORDER TO SHOW CAUSE
Republican River Basin.)	AND
)	NOTICE OF HEARING
Water Division 1-A, 1-B.)	

Central Nebraska Public Power and Irrigation District (Central) and the Platte Republican Diversion Interlocal Agreement Partners (PRD) are hereby ORDERED to SHOW CAUSE why Application A-19594 (Application) should not be dismissed on its face for the following reasons:

1. Central is not a proper applicant because the Application does not specify any beneficial use for Central.
2. If Central is not a proper applicant, the Application does not include any agreement between PRD and Central for use of the Central facilities.
3. The Application requests only an appropriation for natural flow, yet describes water being stored in Elwood Reservoir and released from Elwood Reservoir, which would require additional applications for storage and storage use.

DEPARTMENT OF NATURAL RESOURCES

May 22, 2019



Susan France, Hearing Officer

NOTICE OF HEARING

TO: Applicants Central and PRD, and attorney of record David Bargaen; Objector North Platte Natural Resources District, and attorneys of record Steven Smith, Adam Hoelsing, and Megan Dockery; Objectors Audubon Society, Central Platte Natural Resources District, Lower Loup Natural Resources District, Loup River Public Power District, and Cozad Ditch Company, and attorneys of record Vanessa Silke, Nicholas Buda, and Leigh Campbell Joyce; Objector Nebraska Public Power District, and attorney of record Stephen Mossman:

TAKE NOTICE that a show cause hearing will be held at 10:00 a.m. (Central Daylight Time) on June 28, 2019, in Lower Level B, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. You may present oral argument on the issues set forth in the preceding Order to Show Cause. This is not an evidentiary hearing. The Hearing Officer appointed by the Director for the hearing is Susan France. This hearing is being held under the authority of Neb. Rev. Stat. § 61-206.

DEPARTMENT OF NATURAL RESOURCES

May 22, 2019



Susan France, Hearing Officer
301 Centennial Mall South
Lincoln, NE 68509
(402)471-1684
susan.france@nebraska.gov

CERTIFICATE OF SERVICE

I, Laurel Gower, hereby certify that a copy of this Order to Show Cause and Notice of Hearing was sent by first class mail to each of the following on May 22, 2019:

Steven C. Smith
Adam A. Hoelsing
Megan A. Dockery
Simmons Olsen Law Firm, P.C., L.L.O
1502 Second Avenue
Scottsbluff, NE 69361-3174

Stephen D. Mossman
Mattson Ricketts Law Firm
134 S 13th Street, Suite 1200
Lincoln, NE 68508-1901

Vanessa A. Silke
Nicholas A. Buda
Baird Holm LLP
1700 Farnam Street, Suite 1500
Omaha, NE 68102-2068

David Bargaen
Rembolt Ludtke LLP
3 Landmark Centre
1128 Lincoln Mall, Suite 300
Lincoln, NE 68508



Laurel Gower, Clerk