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SECRETARY OF STATE

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RULEMAKING HEARING

NOTICE IS HEREBY GIVEN THAT THE State of Nebraska, Natural Resources Commission (Commission) will hold a public rule-making hearing pursuant to *Neb. Rev. Stat.* § 84-907. The hearing will be held at 10:00 a.m. on Thursday, January 18, 2018, at the Best Western Plus, 224 2nd Avenue South, Kearney, Nebraska.

The purpose of the hearing is to take public comments concerning adoption of Commission's amendment to the rules *Neb. Admin. Code Title 261*, entitled "Rules Governing the Water Sustainability Fund." The proposed amendments to the rules:

Clarify certain definitions, disallow reimbursement of prior costs, require applicants to possess all necessary permits at the time of application and various other wording changes.

The proposed rules as amended are available at the offices of the Secretary of State, Regulations/Licensing Division, Room 1305, State Capitol, Lincoln, Nebraska 68509, and on the Department's website at *http://dnr.nebraska.gov/rules*. The description of the fiscal and other impacts may be inspected and obtained at the Department of Natural Resources, 4th Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509. The fiscal impact is expected to be none.

All interested persons are invited to attend and make oral or written comments at the hearing. Interested persons may also submit written comments prior to hearing which will be made part of the hearing record at the time of hearing if received by the Department of Natural Resources on or before January 17, 2018. If auxiliary aids or reasonable accommodations are needed to participate in the hearing or if hearing impaired, please call LeRoy Sievers at (402) 471-1113 by January 8, 2018.

Date: December 6, 2017

Gordon W. Fassett

Gordon W. Fassett, Director
Department of Natural Resources

NEBRASKA

Good Life. Great Water.

DEPT. OF NATURAL RESOURCES

Pete Ricketts, Governor

December 5, 2017

John Gale, Secretary of State
Attn: Rules and Regulations Officer
1st Floor, Room 1305
State Capitol Building
Lincoln, NE 68509

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Subject: *Nebr. Admin. Code Title 261*

Dear Mr. Gale:

In relation to *Nebr. Admin. Code Title 261*, enclosed are the following:

1. A draft copy of the amended rule, both red-lined and if all changes are adopted versions.

2. A fiscal impact statement showing that there is no anticipated fiscal impact due to the proposed rule.

3. A copy of the Notice of Rulemaking Hearing which is being published in the Omaha World-Herald newspaper as indicated in the notice.

4. Additionally a copy of the draft rule is being sent to your office electronically for your use.

If you have any questions regarding this please contact me. Thank you for your assistance and cooperation in this matter.

Sincerely,

LeRoy W. Sievers
Legal Counsel

Enclosures

Gordon W. "Jeff" Fassett, P.E., Director

Department of Natural Resources

P.O. Box 94676
301 Centennial Mall South
Lincoln, Nebraska 68509

OFFICE 402-471-2363
FAX 402-471-2900

dnr.nebraska.gov

DRAFT/FINAL FISCAL IMPACT STATEMENT

Agency: Nebraska Natural Resources Commission	
Title: 261	Prepared by: LeRoy W. Sievers
Chapter: 1,2,3,4 and new 5	Date prepared: November 29, 2017
Subject: Water Sustainability Fund	Telephone: 402 471-1113

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	(X)	(X)	(X)
Increased Costs	( )	( )	( )
Decreased Costs	( )	( )	( )
Increased Revenue	( )	( )	( )
Decreased Revenue	( )	( )	( )
Indeterminable	( )	( )	( )

Provide an Estimated Cost & Description of Impact:

State Agency: None, if any, a decrease by improving understanding of how the rules operate so there may be fewer calls asking questions.

Political
Subdivision: None

Regulated
Public: None, if any, a decrease by improving understanding of how the rules operate so there may be fewer calls seeking answers to questions.

If indeterminable, explain why:

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