



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES
Ann Bleed
Acting Director

May 26, 2005

IN REPLY TO:

Steve Smith, Director
Waterclaim
P.O. Box 698
Imperial, NE 69033

Dear Mr. Smith:

I am writing in reference to your request for public information which originated in the fall of 2005, was abandoned by you thereafter, and then renewed in April, 2006, for all Excel spreadsheets pertaining to the Republican River Basin created since January 1, 2005. Your deposit for that material was received April 10, 2006, and noted in my April 11, 2006 letter and later emails to you. Subsequently, the material was collected by Department staff, and reviewed by Legal Counsel. It was then reviewed by staff of the Attorney General's Office, and was sent back to us May 24, 2006 with concurrence on which records may be considered privileged. The compact disc enclosed contains some of the records you requested, but not those records determined by the Department to be withheld pursuant to Neb. Rev. Stat. § 84-712.05(4).

As the public official or employee responsible for the decision to deny your request for access to some of the records, I am also informing you that you may have an administrative or judicial right of review of our denial of copies or access to records under Neb. Rev. Stat. § 84-712.03.

As noted to you by the Assistant Attorney General, March 31, 2006, in response to your questions about the estimated costs for obtaining the records, pursuant to Neb. Rev. Stat. § 84-712 (Supp. 2004) the Department may charge a fee for public records not to exceed the actual cost, but including Department employees' time to find the records, and review them for determining their responsiveness to your request. The amended cost estimate suggested by the Attorney General then was \$339.30, part of which we received April 10 in order to begin our response. In the process of responding, however, we found the actual cost to be higher due to more Department employee time involvement than originally estimated.

clrshare/theis/2006

301 Centennial Mall South, 4th Floor • P.O. Box 94676 • Lincoln, Nebraska 68509-4676 • Phone (402) 471-2363 • Telefax (402) 471-2900

An Equal Opportunity/Affirmative Action Employer

♻️ Printed with soy ink on recycled paper ♻️

DNR 005949

