

STATE OF NEBRASKA
Office of the Attorney General

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JON BRUNING
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DALE A. COMER
ASSISTANT ATTORNEY GENERAL
CHIEF, LEGAL SERVICES BUREAU

January 14, 2013

Amy Svoboda
Attorney at Law
1144 South 22nd Street
Lincoln, NE 68502

Re: *File No. 12-R-144; Upper Republican NRD; Andrews/Svoboda.*

Dear Ms. Svoboda:

This letter is in response to correspondence which we received from you on December 28, 2012, regarding the Upper Republican Natural Resources District ("Upper Republican NRD") and the Nebraska Public Records Statutes, Neb. Rev. Stat. §§ 84-712 through 84-712.09 (2008, Cum. Supp. 2010, Supp. 2011). Your correspondence also involved the Nebraska Cooperative Republican Platte Enhancement Project. We considered your correspondence to be a petition for access to records under § 84-712.03. Our response to your petition is set out below.

You filed your petition with this office on behalf of Don Andrews. Mr. Andrews apparently emailed a request for copies of various documents to Jasper Fanning, Manager of the Upper Republic NRD, on December 14, 2012. Mr. Andrews followed up on his records request with a telephone call on December 20, 2012, and yet another telephone call on December 27, 2012. As of the date of your letter to this office, Mr. Andrews had still not received copies of the records he requested. Mr. Andrews was told that his records request was not fulfilled because NRD staff members were on vacation.

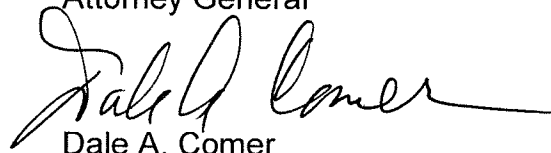
On December 31, 2012, we received an email from Nate Jenkins, Assistant Manager of the Upper Republican NRD, in which Mr. Jenkins stated that Mr. Andrews' records request had been fulfilled "upon staff returning to the office from vacation." And, from our conversations with you on January 9, 2012, we understand that Mr. Andrews has, in fact, received the copies of documents which he requested. Consequently, there is no need for further action by this office with respect to your records petition, and we are closing this file.

Amy Svoboda
January 14, 2013
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If you disagree with our analysis, you may wish to review the Public Records Statutes to determine what, if any, additional remedies might be available to your client.

Sincerely,

JON BRUNING
Attorney General

A handwritten signature in black ink, appearing to read "Dale A. Comer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dale A. Comer
Assistant Attorney General
Chief, Legal Services Bureau

cc. Nate Jenkins

05-437-30