

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

THE STATE OF NEBRASKA ex rel.)
UPPER REPUBLICAN NATURAL)
RESOURCE DISTRICT, GREG)
PELSTER, KENNY OWENS, JERRY)
KUENNING, DON GENGENBACH,)
DEAN LARGE, TOM TERRYBERRY,)
TERRY MARTIN, KERRY BERNHARDT,)
MICHAEL STRAND, MIKE MOSEL,)
and TIM SCHILKE,)

No. S-106-549

Relators,)

v.)

ORDER

THE HONORABLE DISTRICT JUDGES)
OF THE DISTRICT COURT FOR)
CHASE COUNTY, NEBRASKA,)

Respondents.)

FILED

MAY 18 2006

CLERK
NEBRASKA SUPREME COURT
COURT OF APPEALS

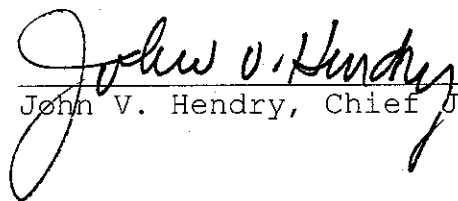
This matter came on for consideration on the 18 day of May, 2006, upon the application of relators Upper Republican Natural Resource District, Greg Pelster, Kenny Owens, Jerry Kuenning, Don Gengenbach, Dean Large, Tom Terryberry, Terry Martin, Kerry Bernhardt, Michael Strand, Mike Mosel, and Tim Schilke for leave to commence an original action. The court notes that while the application refers to a "verified Petition for Peremptory Writ of Mandamus" attached thereto, the actual "Petition for Peremptory Writ of Mandamus" attached to the application is not verified, as required by Neb. Ct. R. of Prac. 15A(2).

The court determines that the application should be granted, and that the Relators shall file a duly verified petition within ten days of this order. If such filing is not made, the action will be subject to dismissal on the court's own motion.

IT IS ORDERED, ADJUDGED, AND DECREED that the Application for Leave of Court to Commence Original Action is granted, and that relators shall file a duly verified petition within 10 days of this order.

Dated this 18 day of May, 2006.

BY THE COURT:



John V. Hendry, Chief Justice