

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17306 FOR WATER APPROPRIATION A-18523

WATER DIVISION 2-A

Background

1. On April 28, 2008, the Department of Natural Resources (Department) approved application A-18523 for a permit to appropriate water. The approval was conditioned upon a map being filed by October 28, 2008.
2. On October 14, 2008, Peter Melcher, on behalf of Preferred Rocks of Genoa, LLC, filed map number 17306 showing the proposed project under surface water appropriation A-18523.

Order

IT IS HEREBY ORDERED:

1. Map number 17306 is APPROVED.
2. Map number 17306 shows the location of diversion from the Loup River and the location of diversion from the Columbus-Genoa Canal for manufacturing purposes under appropriation A-18523. Preferred Rocks of Genoa, LLC, is allowed to divert water from the Loup River, via the Columbus-Genoa Canal headgate located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6, Township 16 North, Range 4 West of the 6<sup>th</sup> P.M. in Nance County. The maximum rate that water may be diverted is 4.45 cubic feet per second (1,997 gallons per minute). The diverted water shall be for a non-consumptive use, and all diverted water (absent incidental losses) shall be returned to said canal per agreement between Loup River Public Power District and the appropriator signed on December 21, 2007. Total volume of water diverted under A-18523 shall not exceed 3,222 acre-feet per year.
3. The appropriator is bound by all terms and conditions of the approval of application A-18523.
4. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
  - a. Notify the Department of any change in ownership or address.
  - b. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
  - c. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

