

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17708 FOR WATER APPROPRIATION A-18715

WATER DIVISION 2-B

BACKGROUND

1. On August 20, 2010, Glenn Johnson, Manager, Lower Platte South Natural Resources District (LPSNRD), on behalf of landowner Don Magee, filed in the Department of Natural Resources (Department) application A-18715 for a Permit to Appropriate Water.
2. On December 14, 2010, the Department approved application A-18715. The approval was conditional upon a map being filed with the department within six months of the application approval.
3. On June 9, 2011, Paul Zillig, Assistant General Manager, LPSNRD, on behalf of landowner Don Magee, filed map number 17708 showing land proposed to be irrigated under appropriation A-18715.

ORDER

IT IS HEREBY ORDERED:

1. Map number 17708 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18715 as depicted on map number 17708 which is made a part of this Order.

Township 9 North, Range 8 East of the
6th P.M. in Lancaster County Acres

Section 30: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2

3. The landowner is allowed to divert 0.1 acre-foot annually from Magee Reservoir (storage appropriation A-17389) from a pump site located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 9 North, Range 8 East of the 6th P.M. in Lancaster County, with permission from the appropriator of A-18715, Lower Platte South Natural Resources District, to irrigate the land described above.
4. The appropriator is bound by all terms and conditions of the approval of application A-18715.
5. 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 of 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 or the location of the place of use.

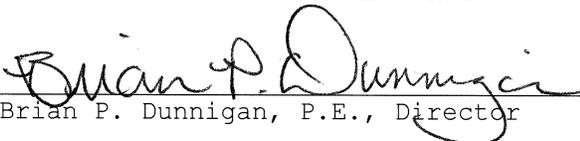
ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

June 29, 2011


Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure 454 Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (4th Floor, Nebraska State Office Building, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website. Copies of this Order and map number 17708 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 17708, and Surface Water Administration brochure were mailed on June 29, 2011, to the following:

Glenn Johnson, Manager
Lower Platte South Natural Resources District
3125 Portia Street
P.O. Box 83581
Lincoln, Nebraska 68501-3581

Don Magee
11745 Yankee Hill Road
Lincoln, Nebraska 68526