

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-19049

AND MAP OF RESERVOIR NUMBER 18592

WATER DIVISION 1-D

BACKGROUND

1. On March 22, 2013, Ron and Cindy Wollenburg filed in the Department of Natural Resources (Department) the following pertaining to Wollenburg Pond:
 - A. Application A-19046 for a permit to impound 55.3 acre-feet of water from the tributary to Turkey Creek, across which the existing Wollenburg Pond is located.
 - B. Application A-19049 for a permit to impound 221.2 acre-feet of supplemental storage water from a pump-site on the Big Blue River to be stored in Wollenburg Pond.
2. On July 10, 2013, Ron Wollenburg filed in the Department map of reservoir 18592.
3. Construction has been completed.

ORDER

IT IS HEREBY ORDERED Application A-19049 and map of reservoir number 18592 are APPROVED subject to the following limitations and conditions:

1. The source of water is the Big Blue River.
2. The priority date is March 22, 2013.
3. The amount of water that may be diverted shall not exceed 221.2 acre-feet per year to be stored in Wollenburg Pond under appropriation A-19049. The water may be diverted from the Big Blue River from a pump-site located on the right bank of the stream in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 North, Range 4 East of the 6th P.M. in Saline County. The amount of water that can be stored in Wollenburg Pond includes both appropriations A-19046 and A-19049 for a total of 276.5 acre-feet per year. This is based upon a reservoir that stores 55.3 acre-feet at normal pool, and is filled 5 times per year. Wollenburg Dam is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 6 North, Range 4 East of the 6th P.M. in Saline County.

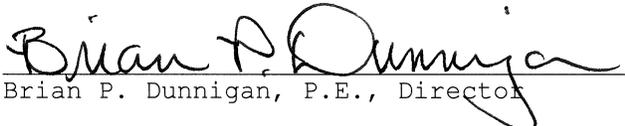
4. A continuous recording device approved by the Department to monitor reservoir levels may be required if so ordered by the Department.
5. This appropriation is subject to the provisions of the Blue River Compact and the appropriator could be required to pass inflows if Compact flows are not being met.
6. 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. Receive approval prior to taking any action that changes the storage capacity of this reservoir, map of reservoir number 18592 or the type of appropriation.
 - C. Assume liability for all damages due to leakage, overflow or structural failure of the structure.
 - D. Release a portion of the reservoir inflows for livestock where required, unless appropriator is a political subdivision.

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.

DEPARTMENT OF NATURAL RESOURCES

April 22, 2014


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 approval 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 Title 454 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the Approval and be accompanied by a filing fee of \$10.

A copy of this approval was posted on the Department's website. Copies of this approval and map of reservoir number 18592 were provided to the Department's field office in Lincoln, Nebraska. A copy of this approval was mailed to the following:

Timothy Duever, P.E.
CES Group P.A.
1102 Broadway
Marysville, Kansas 66508

Copies of this approval and map of reservoir number 18592 were mailed on April 22, 2014, to the following:

Ron and Cindy Wollenburg
10228 South West 128th Road
DeWitt, Nebraska 68341