

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DISMISSING APPLICATION A-19255

WATER DIVISION 1-A

BACKGROUND

1. On July 14, 2004, the Department of Natural Resources (Department) issued a formal moratorium on all new surface water appropriations in the Platte River Basin upstream of the confluence with the Loup River near Columbus, Nebraska. The moratorium included all tributary streams above the Loup River confluence including the North and South Platte Rivers and tributaries.
2. On September 10, 2013, The Central Nebraska Public Power and Irrigation District filed petition VAR-4817 for Leave to File or Consider an Application for a Permit to Appropriate Water within a Moratorium Area. The draft application attached to the petition is for a temporary permit to appropriate water from the Platte River for the purpose of groundwater recharge via the Phelps Canal.
3. On May 1, 2014, the Department granted leave to file an application for a permit to appropriate water by approving petition VAR-4817.
4. On May 19, 2014, The Central Nebraska Public Power and Irrigation District filed in the Department application A-19255 for a temporary permit to appropriate water for the purpose of groundwater recharge through the Phelps Canal system. The application proposes to divert water from the Platte River at the headgate of the applicant's Tri-County Canal located in Section 8, Township 13 North, Range 29 West of the 6th P.M. in Lincoln County, which then connects to the Phelps Canal.
5. On May 28, 2014, The Central Nebraska Public Power and Irrigation District filed in the Department correspondence requesting application A-19255 be dismissed.

ORDER

IT IS HEREBY ORDERED that application A-19255 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

September 4, 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 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 Title 454 Neb. 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 order and be accompanied by a filing fee of \$10.

A copy of this order was posted on the Department's website and provided to the Department's field offices in Bridgeport and North Platte, Nebraska. A copy of this order was mailed on September 4, 2014, to the following:

Don Kraus, P.E., General Manager
Central Nebraska Public Power and
Irrigation District
P.O. Box 740
Holdrege, Nebraska 68949-0740