

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION MIP-5939 FOR WATER APPROPRIATION A-18457

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18457 is held by Lee Simmons.
2. On September 26, 2014, the Department approved application A-18457.
3. On September 15, 2016, Lee Simmons filed in the Department petition MIP-5939 requesting September 1, 2017, as the beneficial use date for appropriation A-18457.
4. A review of the Order of Approval of Application A-18457 dated September 26, 2014, indicates a scrivener's error was made. The beneficial use date should have allowed three irrigation seasons rather than two.
5. Therefore, the date that water must be beneficially used should be September 1, **2017**, rather than September 1, **2016**.

ORDER

IT IS HEREBY ORDERED:

1. Petition MIP-5939 is APPROVED.
2. Appropriation A-18457 is not considered perfected until water has been beneficially applied for the purpose stated in this approval. The water appropriated under A-18457 must be beneficially used by September 1, 2017.
3. After September 1, 2017, a field investigation will be conducted to determine the acres irrigated, after which an order of cancellation will be issued for any unused portions of appropriation A-18457.
4. All terms and conditions of appropriation A-18457 remain in effect unless specifically changed by this Order.

DEPARTMENT OF NATURAL RESOURCES

September 23, 2016


Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Ord, Nebraska. A copy of this Order was mailed on September 23, 2016, to the following:

Lee Simmons
90427 Timber Ridge Road
Valentine, Nebraska 69201