

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES  
APPROVAL OF APPLICATION A-19487

WATER DIVISION 1-F

BACKGROUND

1. On November 23, 2016, Fran Smith, Environmental Planner for ANR Pipeline Company, a subsidiary of TransCanada, filed in the Department of Natural Resources (Department) application A-19487 for a temporary permit to appropriate water.
2. Temporary permits may not be granted for a term of more than one year.

ORDER

IT IS HEREBY ORDERED that application A-19487 is APPROVED subject to the following limitations and conditions:

1. The source of the water is the Big Nemaha River.
2. The water shall be used for the purpose of abandoned pipe sealing.
3. The priority date is November 23, 2016.
4. The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 36, Township 01 North, Range 17 East of the 6<sup>th</sup> P.M. in Richardson County as shown on map number 19757.
5. The rate that water may be diverted shall not exceed 0.56 cubic foot per second (250 gallons per minute). The total amount of water diverted shall not exceed 15,000 gallons.
6. A-19487 EXPIRES one year from the date of this Order and will be cancelled without further action by the Department as of that date.
7. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are 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.

ADDITIONAL INFORMATION

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

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations. If in the future you are not able to divert sufficient amounts of water, and if there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

December 1, 2016

  
Gordon W. Fassett, 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 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4<sup>th</sup> 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 approval was posted on the Department's website and provided to the Department's field office in Lincoln, Nebraska. A copy of this approval was mailed on December 1, 2016, to the following:

ANR Pipeline Company, a subsidiary of TransCanada  
Fran Smith, Environmental Planner  
700 Louisiana Street, Suite 700  
Houston, Texas 77002-2700