

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION MIP-5801 FOR WATER APPROPRIATION A-16482

AND MAP NUMBER 19624

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-16482 is held by Diana Burden.
2. Appropriation A-16482 has a priority date of April 7, 1986, and authorizes the use of water for the purpose of fish culture. The water may be diverted from a tributary to Big Spring Creek at a point of diversion located in the SE¹/₄NE¹/₄ of Section 22, Township 28 North, Range 08 West of the 6th P.M. in Antelope County. Water diverted shall not exceed 0.50 cubic foot per second (cfs) (224 gallons per minute).
3. On August 25, 2016, Diana Burden filed petition MIP-5801 in the Department requesting the purpose of appropriation A-16482 be amended to fish and wildlife.

ORDER

IT IS HEREBY ORDERED:

1. Petition MIP-5801 and map number 19624, which is made a part of this Order, are APPROVED.
2. The purpose of appropriation A-16482 through petition MIP-5801 is fish and wildlife.
3. All terms and conditions of appropriation A-16482 remain in effect unless specifically changed by this Order.
4. 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.

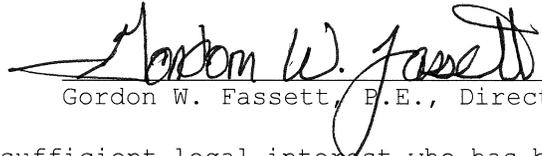
ADDITIONAL INFORMATION

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 cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

September 16, 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, 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. Copies of this Order and map number 19624 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 19624 were mailed on September 16, 2016, to the following:

Diana Burden
86698 514th Avenue
Orchard, Nebraska 68764