

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-18638

WATER DIVISION 1-D

Background

On January 21, 2009, David Clabaugh, Manager, on behalf of the Lower Big Blue Natural Resources District, filed application A-18638 in the Department of Natural Resources (Department) for a permit to impound water, application for approval of plans for dams, specifications and plan P-17362.

Order

IT IS HEREBY ORDERED:

Application A-18638, the application for approval of plans for dams and plan P-17362 are APPROVED subject to the following limitations and conditions.

1. The source of water is a tributary to Turkey Creek.
2. The priority date is January 21, 2009.
3. The amount of water that may be diverted shall not exceed 398.7 acre-feet per year to be stored in the Turkey Creek Reservoir No. 8. Turkey Creek Dam No. 8 will be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ extending into the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 7 North, Range 1 East of the 6th P.M. in Saline County.
4. 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, the specifications, plan P-17362, or the type of appropriation.
 - C. Construct, operate and maintain the structure in accordance with Section 46-241 RSS and the Safety of Dams and Reservoirs Act, Sections 46-1601 to 46-1670 RSS.
 - D. Assume liability for all damages due to leakage, overflow or structural failure of the structure.
 - E. Release a portion of the reservoir inflows for livestock where required, unless appropriator is a political subdivision.

Department at its Lincoln office (301 Centennial Mall South, 4th Floor State Office Building, Lincoln, NE 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, engineering review report and plan P-17362 were provided to the Department's field office in Lincoln, Nebraska. Copies of this approval and a Construction Certification Form for Dams were mailed to the following:

David Ziska, P.E.
Olsson Associates
PO Box 1072
Grand Island, Nebraska 68802-1072

Copies of this approval and plan P-17362 were mailed on March _____, 2009, to the following:

David Clabaugh, Manager
Lower Big Blue Natural Resources District
805 Dorsey Street
Beatrice, Nebraska 68310-1534