

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-18716

WATER DIVISION 2-C

BACKGROUND

1. On August 20, 2010, Alisha Bartling, on behalf of the Village of Verdigre, filed in the Department of Natural Resources (Department) application A-18716 for a **temporary** Permit to Appropriate Water for the purpose of seepage testing for municipal lagoons.
2. On August 30, 2010, Ken Vakoc filed a Water Usage Agreement granting the Village of Verdigre access to the location of diversion and use of facilities located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 30 North, Range 6 West of the 6th P.M. in Knox County.

ORDER

IT IS HEREBY ORDERED that application A-18716 is APPROVED subject to the following limitations and conditions:

1. The source of water is Verdigre Creek.
2. The water shall be used for the purpose of seepage testing for municipal lagoons.
3. The priority date is August 20, 2010.
4. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 30 North, Range 6 West of the 6th P.M. in Knox County.
5. This authorization expires on February 28, 2011, and application A-18716 will be CANCELLED without further action by the Department as of that date.
6. The appropriator must comply with all relevant statutes. The statutes 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.
 - C. Getting 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.

DEPARTMENT OF NATURAL RESOURCES

September 2, 2010


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* 454 *Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (P.O. Box 94676, 301 Centennial Mall South, 4th Floor State Office Building, 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 Ord, Nebraska. A copy of this approval was mailed on September 2, 2010, to the following:

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