STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18043 FOR WATER APPROPRIATION A-18851

WATER DIVISION 2-C

BACKGROUND

1. On May 22, 2012, the Department of Natural Resources (Department) approved Daryll B. and Tamara L. Lightner's application A-18851 for a permit to appropriate water. This approval stated that a project map must be filed in the office of the Department by six months past the signing date of the application approval.

2. On August 1, 2012, Daryll B. Lightner filed in the Department map number 18043 depicting the land proposed to be irrigated under A-18851.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18043 is APPROVED.

2. The following is a description of all the land which is authorized to be irrigated (appurtenant land) under surface water appropriation A-18851 as depicted on map number 18043:

Township 31 North, Range 8 West of the 6th P.M. in Knox County		Acres
Section 11:	NE¼NW¼	31.7
	SE¼NW¼	31.4
	NW¼NE¼	31.4
	SW¼NE¼	31.7
	SE¼SW¼	6.0
	NE¼SE¼	3.5
	SW¼SE¼	31.9
	SE¼SE¼	18.2
Section 14:	NE¼NW¼	24.0
	TOTAL	209.8

3. Appropriation A-18851 authorizes the appropriator the use of 24.6 acre-feet of water annually from Lightner Reservoir No. 3 (storage appropriations A-18341 and A-18779). Water will be released from Lightner Reservoir No. 3 in the NE¼SE¼ of Section 11, Township 31 North, Range 3 West of the 6th P.M. in Knox County, and will flow downstream to Lightner Reservoir No. 2 (storage appropriation A-18339) where it will be withdrawn at a pump site located on the right bank of the reservoir in the SW¼NW¼ of Section 12, Township 31 North, Range 8 West of the 6th P.M. in Knox County.

4. Appropriation A-18851 provides supplemental water to irrigate land under surface water appropriations A-18847, A-18848, A-18849, and A-18850.

5. The appropriator is bound by all terms and conditions of the approval of application A-18851.

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 (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.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

December 6, 2013

Brian P. Dunnigan

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 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 18043 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 18043 were mailed on December 6, 2013, to the following:

Daryll B. and Tamara L. Lightner
5831 South 58th Street, Suite C
Lincoln, Nebraska 68516