

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-19925 AND MAP NUMBER 21214

WATER DIVISION 1-A

BACKGROUND

1. On July 14, 2004, the Department of Natural Resources (Department) issued a formal moratorium on all new surface water appropriations in the Platte River Basin upstream of the confluence with the Loup River near Columbus, Nebraska. The moratorium included all tributary streams above the Loup River confluence including the North and South Platte Rivers and tributaries.
2. On May 18, 2023, Devin Brundage, on behalf of The Central Nebraska Public Power and Irrigation District (CNPPID), filed Petition VAR-10008 for Leave to File an Application for a Permit to Appropriate Water. The proposed application is for a temporary permit to appropriate less than 10 acre-feet of water for the purpose of public road construction from the Platte River via the Tri-County Canal headgate located in Section 08, Township 13 North, Range 29 West of the 6th P.M. in Lincoln County.
3. On May 22, 2023, the Department granted petition VAR-10008 for leave to file an application for a new surface water permit within a moratorium area.
4. On May 26, 2023, Devin Brundage filed in the Department application A-19925 for a temporary Permit to Appropriate Water.
5. Temporary permits may be granted for a term of up to one year.

ORDER

IT IS HEREBY ORDERED that application A-19925 and map number 21214 are APPROVED subject to the following limitations and conditions:

1. The source of water is the Platte River via the headgate of the Tri-County Supply Canal located in Section 08, Township 13 North, Range 29 West of the 6th P.M. in Lincoln County.
2. Water will be used for the purpose of public road construction.
3. The priority date is May 26, 2023.
4. Water will be withdrawn from CNPPID's Supply Canal MP 51.3 at a point of diversion located in the SW¹/₄NW¹/₄ of Section 02, Township 09 North, Range 24 West of the 6th P.M. in Dawson County.

5. The rate water may be diverted under appropriation A-19925 shall not exceed 0.89 cubic feet per second (400 gallons per minute). The total amount of water diverted shall not exceed 10 acre-feet.
6. This appropriation EXPIRES one year from the date of this Order and appropriation A-19925 will be CANCELLED without further action by the Department as of that date.
7. The appropriator must comply with all relevant statutes. The statutes include, but are not limited to, the following:
 - A. Notify the Department of the name and address of the person responsible for the use of the water appropriation.
 - B. 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.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

June 8, 2023

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21214 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order, map number 21214 were mailed to the following:

Devin Brundage
The Central Public Power and Irrigation District
P.O. Box 740
Holdrege, Nebraska 68949-0740

Phillip Leising, Operator
Leising, Inc.
72760 Hwy 283
Arapahoe, Nebraska 68922