

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION OF WATER APPROPRIATION A-18587

WATER DIVISION 2-B

BACKGROUND

1. Appropriation A-18587, approved by the Department on January 3, 2012, is a permit that allows the Lower Platte South Natural Resources District (District) to impound 67.87 acre-feet of water from a tributary to the North Branch of Middle Creek, to be stored in Piening Reservoir, located in the SW $\frac{1}{4}$ of Section 30, Township 11 North, Range 05 East of the 6th P.M. in Lancaster County.
2. The approval was conditional upon (1) construction of the project beginning within one year of the signing date of the application approval, January 3, 2013, and (2) completion of the construction by October 1, 2013.
3. Subsequently, the District filed several Petitions for Extensions of Time to begin construction of Peining Reservoir and the date which construction should be completed was extended to April 1, 2017.
4. The Department has received information that the project has not been constructed.
5. Water appropriation A-18587 should be cancelled in compliance with the terms of the approval and ensuing orders and Neb. Rev. Stat. § 46-238.

ORDER

IT IS HEREBY ORDERED that the water appropriation granted under A-18587 to divert 67.87 acre-feet of water from a tributary to the North Branch of Middle Creek, to be stored in Piening Reservoir, located in the SW $\frac{1}{4}$ of Section 30, Township 11 North, Range 05 East of the 6th P.M. in Lancaster County is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

December 18, 2023

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

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