

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-20090 AND MAP NUMBER 21605

WATER DIVISION 1-D

BACKGROUND

1. On April 18, 2025, Paul Hajek filed in the Department of Natural Resources (Department) application A-20090 for a Permit to Appropriate Water.
2. On May 27, 2025, Paul Hajek filed in the Department map number 21605 showing the location of water use under application A-20090.
4. The Nebraska Game and Parks Commission has record of Northern Long-eared Bat (NLEB) in the vicinity of the project area. Pursuant to the *Nongame and Endangered Species Conservation Act Neb. Rev. Stat. § 37-807*, the applicant has agreed not clear trees at the site of the project between May 15 and July 31.

ORDER

IT IS HEREBY ORDERED that application A-20090 and map number 21605 are APPROVED subject to the following limitations and conditions:

1. The source of water is Clatonia Creek.
2. The water shall be used for the purpose of providing water for livestock.
3. The priority date is April 18, 2025.
4. Water may be diverted from Clatonia Creek at a point of diversion located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28, Township 06 North, Range 05 East of the 6<sup>th</sup> P.M. in Gage County, as depicted on map number 21605 which is made a part of this order. Water shall be pumped to a stock tank located in the abovementioned legal description. Water diverted shall not exceed the rate of 0.28 cubic feet per second (125 gallons per minute).
5. A measuring device, approved by the Department, may be required if so ordered by the Department.
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).

7. The appropriator must comply with the following deadlines:
- A. The appropriation is not considered perfected until water has been beneficially used for the purpose stated in this Order. The water appropriated under A-20090 must be beneficially used by September 1, 2027.
  - B. After September 1, 2027, a field investigation will be conducted to determine that water has been beneficially used.
  - C. If no portion of the appropriation is found to have water beneficially applied, the Department will issue an Order of Cancellation in Full for A-20090.

ADDITIONAL INFORMATION

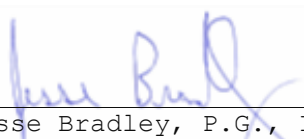
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative 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.

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. If in the future you are not able to divert sufficient amounts of water, and if there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

June 2, 2025

  
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Jesse Bradley, P.G., Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21605 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21605 were mailed to the following:

Paul J. Hajek  
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