

For Department Use Only

- Natural Resources at 8:48 a.m./p.m.

Application No. A-19712

Water Division 1-A

Receipt No. 5297 Amount \$10.00

Right ID 13810

E-mail address: _____ Telephone No. () _____

- ☒
- Use natural flow
- ☐
- Use impounded water*

- | | | | | | |
|--------------------------|------------|--------------------------|---------------|--------------------------|----------|
| <input type="checkbox"/> | Irrigation | <input type="checkbox"/> | Manufacturing | <input type="checkbox"/> | Domestic |
|--------------------------|------------|--------------------------|---------------|--------------------------|----------|

- ☒
- Other Recharge to enhance river flow _____

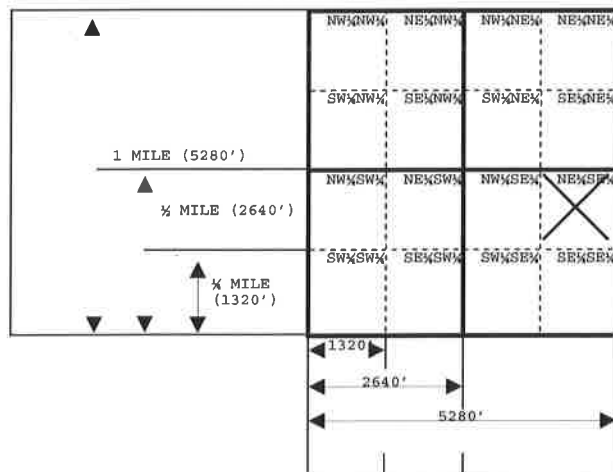
- Temporary**

- 4b. If applicable, identify the facility name for transporting water from the source (portable pump, name of canal or pipeline).

Western Irrigation Canal

- | | | | | |
|---------------------------------|-------------------------------------|----------|--------------------------|------|
| 5. Identify the location of the | <input checked="" type="checkbox"/> | Headgate | <input type="checkbox"/> | Pump |
|---------------------------------|-------------------------------------|----------|--------------------------|------|

Section 14, Township 12 North, Range 43 E ☐ W ☒ County Deuel



The box at left represents one square mile (section). Place an X within each appropriate 40-acre tract to indicate the location(s) of each headgate or pump.

If applicable, indicate the height, in feet, of any diversion or check dams on the line below.

* A separate permit to impound water must be obtained.

**** A temporary permit maybe granted for a maximum of one year.**

6. If applicable, identify the location of lands by 40-acre subdivisions that will be irrigated.

LEGAL SUBDIVISIONS	Sec.	Twp.	Rge.	No. of Acres	LEGAL SUBDIVISIONS	Sec.	Twp.	Rge.	No. of Acres
					TOTAL NUMBER OF ACRES TO BE IRRIGATED: 0.0				

☐ Enclosed is an aerial photograph that I have marked to show the approximate location of land to be irrigated as described above.

7. State the approximate quantity of water desired for

appropriation. 176.26

- ☐ Gallons per minute
☒ Cubic feet per second
☐ Acre-feet (impounded water)

8a. State the estimated time required for completion of all water diversion facilities.

Existing/Completed

8b. State the earliest date when water will have been used for beneficial purposes.

April 2020

9. Will this project be constructed under a federal program, receive federal funding, or have federal planning assistance?

☒ No ☐ Yes If yes, explain: _____

10. I certify that am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate.

4/20/2020

Date


 Signature of owner or owner's authorized agent (with proper documentation)

A final project map may accompany this application or must be filed within six months following departmental approval of this application, drawn in accordance with NAC Title 457 – Rules for Surface Water, Chapter 10, (<http://dnr.nebraska.gov/swr/surface-water-rules>). At the request of the applicant, the Department will assist with preparation of the project map.

This form must be completed in full. An incomplete or defective application will be returned with 90 days being allowed for resubmission. Failure to resubmit a corrected application within this period shall cause dismissal of the application and consequent loss of priority and fees.

A non-refundable filing fee, payable to the Department of Natural Resources, computed from the table below must accompany this application. Forward this application and applicable fees to:

State of Nebraska
 Department of Natural Resources
 301 Centennial Mall South / P.O. Box 94676
 Lincoln, Nebraska 68509-4676
 (402) 471-2363

Nature of Use	Cost	Nature of Use	Cost
Domestic.....	\$10	Manufacturing	
Agricultural		General.....	\$10
Irrigation from Stream		Power Generation for each theoretical 50 horsepower.....	\$5
0-1,000 acres.....	\$200	Other.....	\$10
Each additional 1,000 acre unit.....	\$100		
or portion thereof in excess of the first 1,000 acre unit			
Irrigation from Storage Reservoir			
0-1,000 acres.....	\$50		
or portion thereof in excess of the first 1,000 acre unit			
Each additional 1,000 acre unit.....	\$25		
or portion thereof in excess of the first 1,000 acre unit			

LEASE AGREEMENT

This Canal/Lateral Lease Agreement is made and entered into this 17th day of March, 2015, between the Twin Platte Natural Resources District ("TPNRD"), a political subdivision of the State of Nebraska, and the Western Irrigation District ("Irrigation District"), a political subdivision of the State of Nebraska, collectively referred to as the "Parties."

RECITALS

WHEREAS, TPNRD is a political subdivision of the State of Nebraska, duly authorized to acquire, hold, dispose of and lease rights and appropriations to use the waters of the State of Nebraska;

WHEREAS, TPNRD desires to enhance the flows of water to the Platte River, as required by the TPNRD Integrated Management Plan, through means of ground water recharge to induce return flows;

WHEREAS, the Irrigation District owns and operates certain canals and laterals that have the capability to divert water from the South Platte River;

WHEREAS, 70 percent of the Irrigation District Service Area lies in the TPNRD and 30 percent lies in the South Platte Natural Resources District ("SPNRD");

WHEREAS, the Irrigation District desires to enter into a lease the use of its canals and laterals with the TPNRD to divert available flows in the non-irrigation season and such other times as flows are available from the South Platte River for ground water recharge and streamflow enhancement;

WHEREAS, the Irrigation District understands and acknowledges that payment for the use of its canals and laterals, as set forth below, is dependent upon TPNRD obtaining an appropriation from the Nebraska Department of Natural Resources ("NDNR").

NOW THEREFORE, the Parties mutually agree as follows:

1. Canals and Laterals. The Irrigation District agrees to lease to the TPNRD the canals and laterals identified in Appendix A to this Lease Agreement. Under the direction of TPNRD, the Irrigation District will be responsible for the operation of any headgates and the diversion of water into the appropriate canals and laterals.
2. Water Rights. TPNRD shall be responsible for obtaining the necessary and appropriate water rights/appropriations from the NDNR. The Irrigation District understands and acknowledges that TPNRD will not be authorized to direct any diversion of water from the South Platte River and that the date of issuance of any such right or appropriation is beyond the control of TPNRD.
3. Amount Diverted And Timing of Diversions. TPNRD intends to acquire a water right/appropriation for 176.26 cubic feet per second ("cfs"). As directed by TPNRD, the Irrigation District shall divert flows up to and including 176.26 cfs during the non-irrigation season and such other times as flows are available. If necessary for safety, or as required to protect the canals and laterals, the Irrigation District may divert a lesser amount or no amounts upon notice to TPNRD management.

WESTERN CANAL

LEGEND

- Western Canal
- Rivers

