

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
APPROVAL OF APPLICATION A-19790
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. Subsequently, integrated water management plans have continued the moratorium on issuing new surface water appropriations.
2. On August 24, 2021, Paul Turner, on behalf of Platte Pipe Line Company, LLC, filed in the Department petition VAR-9429 for leave to file an application for a permit to appropriate water. The petition requested leave to file an application for a temporary permit to appropriate less than 10 acre-feet of water for the purpose of construction.
3. On August 30, 2021, the Department granted petition VAR-9429 for leave to file an application for a permit to appropriate water.
4. On September 1, 2021, Paul Turner, on behalf of Platte Pipe Line Company, LLC, filed in the Department of Natural Resources (Department) application A-19790 for a temporary permit to appropriate water for the purpose of construction of a pipeline.
5. Temporary permits may not be granted for a term of more than one year.

ORDER

IT IS HEREBY ORDERED that application A-19790 is APPROVED subject to the following limitations and conditions:

1. The source of water is the South Platte River.
2. The water shall be used for the purpose of construction of a pipeline.
3. The priority date is September 1, 2021.
4. The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 13 North, Range 41 West of the 6th P.M. in Keith County. Water diverted shall not exceed 0.16 cubic feet per second (approximately 72 gallons per minute). The total amount of water diverted shall not exceed 10 acre-feet.

5. A-19790 EXPIRES one year from the date of this Order and will be cancelled without further action by the Department as of that date.
6. The appropriator must comply with all relevant statutes. These relevant statutory requirements 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 (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - 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. 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



September 8, 2021

Thomas E. Riley, P.E., Director

A copy of this approval was posted on the Department's website and provided to the Department's field office in Bridgeport, Nebraska. A copy of this approval was mailed on September 8, 2021, to the following:

Paul Turner
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