

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-19801

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 November 19, 2021, Devin Brundage, on behalf of The Central Nebraska Public Power and Irrigation District (CNPPID) and Big Mac Parasailing, Inc., filed Petition VAR-9469 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 construction from Lake McConaughy (Appropriation A-2374) at a pumpsite located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 15 North, Range 38 West of the 6th P.M. in Keith County.
3. On December 7, 2021, the Department granted petition VAR-9469 for leave to file an application for a new surface water permit within a moratorium area.
4. On December 23, 2021, Devin Brundage filed in the Department application A-19801 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-19801 is APPROVED subject to the following limitations and conditions:

1. The source of water is Lake McConaughy.
2. Water will be used for the purpose of public construction.
3. The priority date is December 23, 2021.
4. Water will be withdrawn from Lake McConaughy at a point of diversion located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 15 North, Range 38 West of the 6th P.M. in Keith County as depicted on map number 20889 which is made a part of this Order.
5. The total amount of water diverted shall not exceed 2 acre-feet.

6. This appropriation EXPIRES one year from the date of this Order and appropriation A-19801 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



January 14, 2022

Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website, provided to the Department's field office in Bridgeport, Nebraska and mailed on January 14, 2022, to the following:

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