

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN OF RESERVOIR NUMBER 21127

FOR SURFACE WATER APPROPRIATION A-19806

WATER DIVISION 1-D

BACKGROUND

1. Surface water appropriation A-19806, with a priority date of January 28, 2022, was approved by Order of the Department of Natural Resources (Department) on July 20, 2022, to impound 49.5 acre-feet of water from a tributary to Cedar Creek in Ideus Irrigation Reservoir with the condition that a plan of reservoir be filed within six months of the signing date of the approval.
2. On December 28, 2022, Linda Ideus, on behalf of the Ideus Family Trust, timely filed in the Department Plan of Reservoir 21127 prior to the January 20, 2023, deadline according to *Title 457 Neb. Admin. Code Chapter 11* for Ideus Irrigation Reservoir under surface water appropriation A-19806.
3. The normal pond volume per Plan of Reservoir 21127 is 28.0 acre-feet.

ORDER

IT IS HEREBY ORDERED Plan of reservoir 21127 is APPROVED.

1. The amount of water that may be diverted shall not exceed 28.0 acre-feet per year to be stored in Ideus Irrigation Reservoir. Ideus Irrigation Dam will be located in the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 33, Township 05, Range 08 East of the 6<sup>th</sup> P.M. in Gage County.
2. All terms and conditions of the approval of appropriation A-19806 remain in effect unless specifically changed by this order.
3. 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 any change in ownership or address.
  - B. Receive written approval prior to taking any action that changes the storage capacity of this reservoir, plan of reservoir 21127 or the type of appropriation.
  - C. Assume liability for all damages due to leakage, overflow or structural failure of the structure.
  - D. Release a portion of the reservoir inflows for livestock where required, unless appropriator is a political subdivision.

4. The appropriator must comply with the following deadlines:
  - A. Construction of the structure must begin within twelve months of the signing date of this application approval. The appropriator must proceed diligently with the construction unless interrupted by some unavoidable and natural cause.
  - B. November 1, 2024, is the date construction of the structure must be completed.
  - C. The applicant has a preferred right to file an application for a permit to appropriate the water stored for some useful purpose until May 1, 2025.

ADDITIONAL INFORMATION

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

DEPARTMENT OF NATURAL RESOURCES



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Thomas E. Riley, P.E., Director

February 1, 2023

A copy of this Order was posted on the Department's website. Copies of this Order and plan of reservoir 21127 were provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed to the following:

David Robbins  
15460 NW 48<sup>th</sup> Street  
Raymond, Nebraska 68428

Copies of this Order and plan of reservoir 21127 were mailed to the following:

Ideus Family Trust  
13962 East Elm Road  
Filley, Nebraska 68357