

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPLICATION FOR A PERMIT TO APPROPRIATE WATER

Complete items 1 through 10 by printing in ink or typing the appropriate information and by placing an X in the appropriate box.

For Department Use Only

1. Name and address of owner of land under proposed project. Names must be exactly as described on the deed or document transferring ownership of property. Landowner must sign the application.

The Central Nebraska Public Power and Irrigation District
P.O. Box 740, 415 Lincoln Street
Holdrege, NE 68949-0740

Filed in the office of the Department of

Natural Resources at 8:15 a.m./p.m.

on November 14 2019

Application No. A-19679

E-mail address: _____ Telephone No. (308) 995-8601

Map No. _____

Water Division 1-A

Receipt No. A-5246 Amount \$10.00

Right ID 13625

2. Name, address, and telephone number of applicant if different than landowner.

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

- 3a. A permit is sought to:

☒ Use natural flow ☐ Use impounded water*

- 3b. A permit is sought for the purpose of:

☐ Irrigation ☐ Manufacturing ☐ Domestic
☐ Other _____
☒ Temporary** Groundwater Recharge

- 4a. Identify the source of water (name of stream or reservoir).

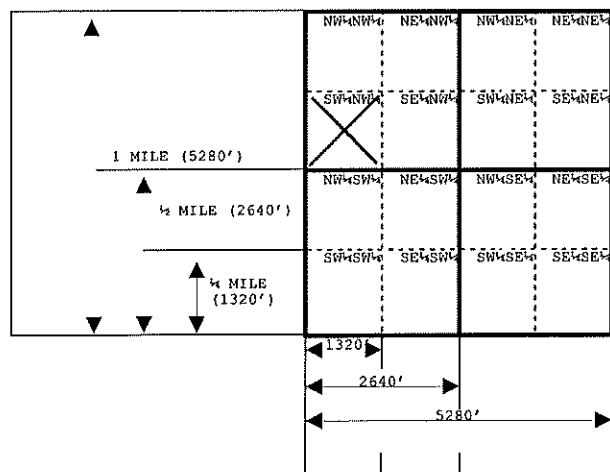
Platte River

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

Tri-County Supply Canal, E65 Canal, and Phelps Canal

5. Identify the location of the ☒ Headgate ☐ Pump

Section 8, Township 13 North, Range 29 E ☐ W ☒ County Lincoln



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, 950 cfs

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

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

Exisiting (LINDER WPA complete Fall 2019)

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

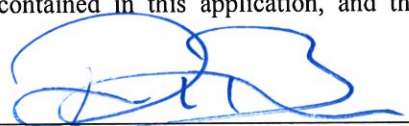
Now or as soon as possible.

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

☐ No ☒ Yes If yes, explain: It is anticipated that the Platte River Recovery Implementation Program (PRRIP) will pay for recharge services associated with this water right.

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.

10/30/19
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
Domestic	\$10
Agricultural	
Irrigation from Stream	
0-1,000 acres	\$200
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	

Nature of Use	Cost
Manufacturing	
General	\$10
Power Generation for each theoretical 50 horsepower	\$5
Other	\$10

CNPPID's Intentions

Temporary Permit to Appropriate Water for Groundwater Recharge on the E65 Canal, Phelps Canal, Elwood Reservoir, Cottonwood Ranch Complex, Cottonwood Waterfowl Production Area, Funk Lagoon Waterfowl Production Area, Johnson Waterfowl Production Area, Linder Waterfowl Production Area, and Victor Lakes Waterfowl Production Area in Gosper, Phelps, and Kearney Counties

The applicant, The Central Nebraska Public Power and Irrigation District (CNPPID) intends to divert Platte River flows in excess of the U.S. Fish and Wildlife Service's Target Flows (target flows) and state protected flows (as defined in the Nebraska New Depletions Plan) for the purpose of groundwater recharge, on the E65 Canal, Phelps Canal, Elwood Reservoir, Cottonwood Ranch Complex, Cottonwood Waterfowl Production Area (WPA), Funk Lagoon WPA, Johnson WPA, Linder WPA, and Victor Lakes WPA, for the Platte River Recovery Implementation Program (PRRIP), the Nebraska Department of Natural Resources (Department) and the Tri-Basin Natural Resources District (TBNRD).

Only at those times when flow in the Platte River exceeds the quantity necessary to satisfy target flows and state protected flows would diversion occur. Included with CNPPID's Petition For Leave is the Platte River Hydraulic Analysis showing that CNPPID expects unappropriated flows in the Platte River.

The hydraulic analysis and description of excess flows or unappropriated water in the Platte River is based on an assumption that, because of the Platte River Recovery Implementation Program, any new appropriations to Platte River water may be limited to only being able to divert water in excess of U.S. Fish and Wildlife Service's "Target Flows." CNPPID is unaware of any formalization of a requirement to protect Target Flows in the seeking or granting of new appropriations. Therefore, CNPPID wants to clarify that this petition requests the next available water in the Platte River based on priority and submission date and that any limitations regarding Target Flows would be those requirements that may be shared by all future appropriations, or as otherwise may be required as a matter of law.

Diversion for groundwater recharge into CNPPID's E65 Canal and Phelps Canal would not exceed 950 cfs. The proposed area of groundwater recharge will be the E65 Canal, Phelps Canal, Elwood Reservoir, Cottonwood Ranch Complex, Cottonwood WPA, Funk Lagoon WPA, Johnson WPA, Linder WPA, and Victor Lakes WPA, as shown on the attached maps (Maps 2 and 3).