

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

GRANT OF PETITION VAR-1642 (V-3) FOR LEAVE TO FILE OR CONSIDER AN
APPLICATION FOR A NEW SURFACE WATER APPROPRIATION WITHIN A MORATORIUM OR STAY
AREA FOR WATER APPLICATION A-18232

WATER DIVISION 1-A

Background

1. On April 12, 2004, Miller and Associates Consulting Engineers, on behalf of Lighthouse Point Subdivision Homeowners Association, Inc., filed application A-18232 for a permit to impound 49.5 acre feet of water in the Lighthouse Point Reservoir located in Section 27, Township 9 North, Range 16 West of the 6th P.M. in Buffalo County. The source of the water is ground water well G-126185 and a tributary to Wood River.
2. On July 14, 2004, the Department placed a formal moratorium on all new surface water applications in the Platte River Basin above the mouth of the Loup River.
3. The land described in application A-18232 falls within the fully appropriated area.
4. On December 27, 2004, Lighthouse Point Subdivision Homeowners Association, filed petition VAR-1642 (V-3) for leave to file or consider an application for a new surface water appropriation within an area subject to a stay on the issuance of new surface water appropriations.
5. Petitions for leave to consider an application for a permit to appropriate water in areas that are subject to stays and moratoriums are covered under Nebraska revised statutes sections 46-714(3)(n) and 61-206. Department rule 457 N.A.C. 23 establishes guidelines under which variances can be granted.

Order

IT IS HEREBY ORDERED that petition VAR-1642 meets the conditions of Department Rule 457 N.A.C. 23.001.02 and is GRANTED.

