STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-18963

WATER DIVISION 2-F

BACKGROUND

On September 6, 2012, Commercial Contractors Equipment, Inc., filed in the Department of Natural Resources (Department) application A-18963 for a temporary Permit to Appropriate Water.

ORDER

IT IS HEREBY ORDERED that application A-18963 is APPROVED subject to the following limitations and conditions:

1. The source of water is a tributary to the Missouri River.

2. The water shall be used for the purpose of road construction.

3. The priority date is September 6, 2012.

4. The point of diversion is located in the NW¼NE¼ of Section 28, Township 33 North, Range 4 West of the 6th P.M. in Knox County.

5. The rate that water may be diverted under appropriation A-18963 shall not exceed 0.45 cubic feet per second (approximately 202 gallons per minute). Total volume of water diverted may not exceed 21.49 acre-feet.

6. This appropriation EXPIRES one year from the date of this Order and appropriation A-18963 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 any change in ownership or address.

   B. 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).

   C. 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

November 2, 2012

Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of $10.

A copy of this approval was posted on the Department's website and provided to the Department's field office in Norfolk, Nebraska. A copy of this approval was mailed on November 2, 2012, to the following:

Commercial Contractors Equipment, Inc.
701 NW 27th Street
P.O. Box 81036
Lincoln, NE 68501

Gene Jessen, Landowner
89480 537 Avenue
Bloomfield, NE 68718