

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18210 FOR WATER APPROPRIATION A-18768

WATER DIVISION 2-C

BACKGROUND

1. On April 11, 2011, Richard L. and Sharalyn E. Wells filed in the Department of Natural Resources (Department) application A-18768 for a permit to impound water and petition DWV-2080 for a waiver of drawdown requirement.
2. On December 2, 2012, the Department approved application A-18768 to impound 14 acre-feet per annum to be stored in Blackbird Reservoir located in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 21, Township 31 North, Range 11 West of the 6<sup>th</sup> P.M. in Holt County. The approval was conditional on the appropriator filing a map of reservoir in accordance with *Title 457 Neb. Admin. Code* Chapter 11 within six months of the signing date of the application approval.
3. On May 24, 2012, Dale E. Bohac, on behalf of Richard L. and Sharalyn E. Wells, filed in the Department specifications according to *Title 457 Neb. Admin. Code* Chapter 11 and map of reservoir number 18210.

ORDER

IT IS HEREBY ORDERED:

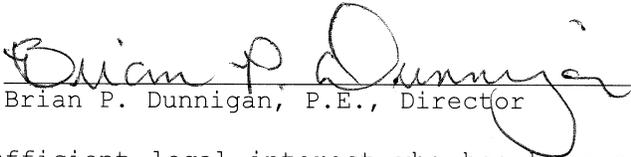
1. Map of reservoir number 18210 is APPROVED.
2. A storage volume in the amount of 14 acre-feet per year shall remain in effect for A-18768.
3. All terms and conditions of appropriation A-18768 shall remain in effect unless otherwise changed by this Order.
4. The appropriator must comply with all relevant statutes. This includes, but is 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 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

June 15, 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, 4<sup>th</sup> 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 Order was posted on the Department's website. Copies of this Order and map number 18210 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 18210 were mailed on June 15, 2012, to the following:

Richard L. and Sharalyn E. Wells  
85797 Highway 14  
Brunswick, Nebraska 68720

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