

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION RLP-2247 TO CHANGE THE LOCATION OF
DIVERSION FOR WATER APPROPRIATION A-6225KR

WATER DIVISION 1-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show surface water appropriation A-6225KR is held by the Bureau of Reclamation (Reclamation).
2. Appropriation A-6225KR has a priority date of April 16, 1954, and provides supplemental water for irrigation from storage impounded in Enders, Harry Strunk, Harlan County, Swanson and Hugh Butler Reservoirs to land under natural flow appropriations A-3869DR, A-6217, A-10196, A-11042, A-11920, A-13229, A-14179 and A-15803 held by Frenchman Cambridge Irrigation District. The water shall be measured at the headgate of the Bartley Canal located on the right bank of the Republican River in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 3 North, Range 27 West of the 6th P.M. in Red Willow County or at a pump diversion located on the right bank of the Republican River in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 4 North, Range 25 West of the 6th P.M. in Furnas County.
3. On December 15, 2011, Reclamation filed petition RLP-2247 in the Department for a permit to add a third location of diversion for appropriation A-6225KR.
4. Construction has been completed.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-2247 for a permit to change the location of diversion for appropriation A-6225KR is APPROVED.
2. Appropriation A-6225KR authorizes Reclamation to provide supplemental water for irrigation from storage impounded in Enders, Harry Strunk, Harlan County, Swanson and Hugh Butler Reservoirs to land under natural flow appropriations A-3869DR, A-6217, A-10196, A-11042, A-11920, A-13229, A-14179 and A-15803 held by Frenchman Cambridge Irrigation District. The water shall be measured at the headgate of the Bartley Canal located on the right bank of the Republican River in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 3 North, Range 27 West of the 6th P.M. in Red Willow County; or at a pump diversion located on the right bank of the Republican River in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 4 North, Range 25 West of the 6th P.M. in Furnas County; or at the outlet from Trenton Dam into the Meeker-Driftwood Canal headgate located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 2 North, Range 33 West of the 6th P.M. in Hitchcock County for conveyance to the headgate of Bartley Canal.

3. This approval does not allow the appropriators to divert more water or to irrigate additional lands than would otherwise be permitted.
4. All terms and conditions of appropriation A-6225K and A-6225KR remain in effect unless specifically changed by this Order.

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 cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

November 1, 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 Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Cambridge, Nebraska. A copy of this Order was mailed on November 1, 2012, to the following:

Aaron Thompson, Area Manager
Bureau of Reclamation
1706 West 3rd Street
McCook, Nebraska 69001

Brad Edgerton, Manager
Frenchman-Cambridge Irrigation District
P.O. Box 116
Cambridge, Nebraska 69022-0116