

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP NUMBER 18530 FOR APPROPRIATION A-18868

WATER DIVISION 2-F

BACKGROUND

1. On January 12, 2012, Richard D. Wortmann filed in the Department of Natural Resources (Department) application A-18868 for a permit to impound water.
2. On August 7, 2012 the Department approved application A-18868 for a permit to impound 13 acre-feet of water from Beaver Creek in Wortmann Reservoir.
3. Pursuant to *Title 457 Neb. Admin. Code* Chapter 11, a map of reservoir was to be filed six months after the approval date of appropriation A-18868, on February 6, 2013.
4. On February 1, 2013, Richard Wortmann filed in the Department petition EOT-3499 requesting an extension of time until June 30, 2013, in which to file a map of reservoir.
5. On May 6, 2013, Bradley S. Woerner, P.E. with Eisenbraun & Associates, Inc., on behalf of Richard D. Wortmann, filed map of reservoir number 18530 and specifications according to *Title 457 Neb. Admin. Code* Chapter 11.
6. On May 8, 2013, the Department granted extension of time, EOT-3499. The deadline to file a map of reservoir under appropriation A-18868 was extended to June 30, 2013.

ORDER

IT IS HEREBY ORDERED map of reservoir number 18530 IS APPROVED.

1. The appropriator is bound by all terms and conditions of the approval of application A-18868.
2. 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. Receive approval prior to taking any action that changes the storage capacity of this reservoir, map of reservoir number 18530, or the type of appropriation.
 - C. Assume liability for all damages due to leakage, overflow or structural failure of the structure.

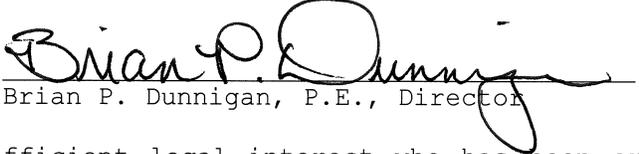
- D. Release a portion of the reservoir inflows for livestock where required, unless appropriator is a political subdivision.

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

July 10, 2013


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 approval 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 Approval and be accompanied by a filing fee of \$10.

A copy of this approval was posted on the Department's website. Copies of this approval and map of reservoir number 18530 were provided to the Department's field office in Norfolk, Nebraska. A copy of this approval was mailed to the following:

Bradley S. Woerner, PE
Eisenbraun & Associates, Inc.
215 Walnut Street
Yankton, South Dakota 57078

Copies of this approval and map of reservoir number 18530 were mailed on July 10, 2013, to the following:

Richard D. Wortmann
55026 892nd Way
Crofton, Nebraska 68730