

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DENIAL OF PETITION RLP-5583 FOR A PERMIT TO
CHANGE THE LOCATION OF DIVERSION FOR APPROPRIATION A-15182

WATER DIVISION 2-C

BACKGROUND

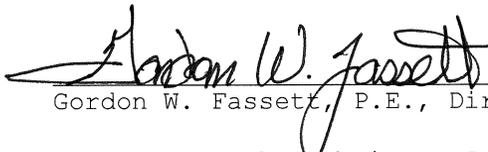
1. On February 26, 2016, Kenneth Katzer filed in the Department of Natural Resources (Department) petition RLP-5583 for a permit to change the location of diversion for appropriation A-15182. Petition RLP-5583 requests that the point of diversion for 1.27 cubic feet per second of water for irrigation of 88.7 acres under appropriation A-15182 be moved from the existing pump sites located on the Niobrara River in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 30, Township 34 North, Range 14 West of the 6th P.M. in Boyd County to a pump site located on the Keya Paha River in Section 29, Township 34, Range 14 West of the 6th P.M. in Boyd County.
2. *Department of Natural Resources Rules of Practice and Procedure, Title 457 Neb. Admin. Code Chapter 6* requires that a change in location of the point of diversion shall not adversely affect any other appropriator. By moving the existing point of diversion from the Niobrara River to the Keya Paha River junior appropriators may be adversely impacted.
3. Therefore, petition RLP-5583 should be denied.

ORDER

IT IS HEREBY ORDERED petition RLP-5583 is DENIED.

DEPARTMENT OF NATURAL RESOURCES

August 15, 2016


Gordon W. Fassett, P.E., Director

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 Ord, Nebraska. A copy of this Order was mailed on August 15, 2016, to the following:

Kenneth Katzer
1420 Benton Street
Lincoln, Nebraska 68521