

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER APPROVING EXTENSION OF TIME BY PETITION EOT-3448

TO FILE MAP AND APPROVAL OF MAP 18556

FOR WATER APPROPRIATION A-18821

WATER DIVISION 2-F

BACKGROUND

1. On October 17, 2011, Bradley J. and Shannon L. Mahon and Jeremy B. Mahon filed in the Department of Natural Resources (Department) application A-18821 for a permit to impound water and petition DWV-2189 for a waiver of drawdown requirement.
2. On June 14, 2012, the Department approved appropriation A-18821 to impound a volume not to exceed 10 acre-feet of water per annum to be stored in Mahon Reservoir No. 2 located in the NE~~NE~~^{NE} of Section 35, Township 33 North, Range 9 West of the 6th P.M. in Boyd 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 after the signing date of the application approval.
3. On December 5, 2012, Bradley J. Mahon filed in a timely manner petition EOT-3448 requesting a three-month extension of time in which to file a map of reservoir.
4. On June 4, 2013, Bradley J. Mahon filed in the Department map of reservoir 18556. The Department accepted map of reservoir 18556; therefore, the intent of petition EOT-3448 is served.

ORDER

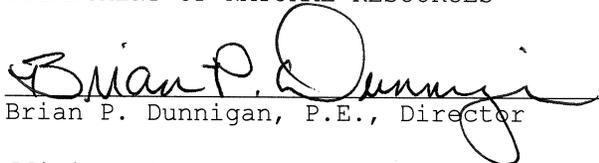
IT IS HEREBY ORDERED:

1. Petition EOT-3448 requesting an extension of time is hereby GRANTED and map of reservoir 18556 is APPROVED.
2. The amount of water that may be diverted from a tributary to Ponca Creek shall not exceed 8.24 acre-feet per year to be stored in Mahon Reservoir No. 2.
3. All terms and conditions of appropriation A-18821 remain in effect unless specifically 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 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.

DEPARTMENT OF NATURAL RESOURCES

November 7, 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 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. Copies of this Order and map of reservoir 18556 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map of reservoir 18556 were mailed on November 7, 2013, to the following:

Bradley J. and Shannon L. Mahon
51415 Highway 12
Niobrara, Nebraska 68760

Jeremy B. Mahon
51147 Highway 12
Niobrara, Nebraska 68760