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Dept of Natural Resources

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IMP-GWMP

NOTICE TO THE PUBLIC
AND TO THE MIDDLE REPUBLICAN
NATURAL RESOURCE DISTRICT
OF FULLY APPROPRIATED AREAS
AND APPLICABLE STAYS

Pursuant to Section 54, LB 962 (2004 Nebraska Legislature) the Department of Natural Resources (“Department”) hereby provides notice that the Department, in accordance with Sections 53 and 60 of LB 962:

- 1) Has made a final determination that the Middle Republican Natural Resource District (the “NRD”) is “fully appropriated,” in its entirety; and
- 2) That because of such determination, stays on new uses of surface water and ground water have or will take effect as described below.

The Department has placed an immediate stay on the issuance of any new natural-flow, storage, or storage-use appropriations in the whole of the NRD. On receipt of this notice from the Department by the NRD, there shall be a stay on the issuance of water well construction permits in all of the NRD. Stays shall also be imposed in the NRD (a) on the construction of certain new water wells unless such construction has commenced prior to the effective date of that stay or a still valid construction permit for such water well has been previously obtained from the NRD, and (b) on the use of an existing water well to increase the number of acres historically irrigated. In addition, there shall be, in all of the NRD, a stay on any increase, through use of an existing surface water right, of the number of acres historically irrigated. All of these additional stays will be effective on July 26, 2004, which will be the date ten days after the Department’s first newspaper publication, in the Omaha World Herald, of the notice of the full appropriation determination and of such stays.

For further information regarding the Department’s determination, the exact geographic area subject to the actions described herein, and a list of the statutory exceptions to the stays, please refer to the Department’s web site, at <http://www.dnr.state.ne.us>, and/or the NRD.

The stays shall remain in effect until (a) they are terminated pursuant to LB 962, (b) an integrated management plan for the affected area has been adopted and has taken effect, (c) the Department has completed a reevaluation of the area and has determined that the affected area is not fully appropriated, or (d) the stays expire pursuant to the provisions of LB 962.