STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES


WATER DIVISION 1-A

BACKGROUND

1. Nebraska Revised Statute 46-2,112 requires the Department of Natural Resources (Department) to review an appropriation for instream flow every fifteen years after it is granted.

2. Water Appropriations A-17329, A-17330, A-17331 and A-17332 are instream flow appropriations on the Platte River in the name of the Nebraska Game and Parks Commission (NGPC). Water Appropriations A-17329, A-17330, A-17331 and A-17332 have priority dates of November 30, 1993, and were approved by the Department on June 26, 1998. The appropriations' time periods, purpose, reach and amount of water are summarized in the attached chart identified as "Attachment A".

3. In accordance with Nebraska Revised Statute § 46-2,112, notice of pending review was published in several newspapers for three consecutive weeks commencing on February 11, 2013, and ending on March 1, 2013, and posted on the Department's website. Interested parties were given until April 12, 2013, to present evidence relevant to the review or to request a hearing.

4. Between February 11, 2013, and April 12, 2013, eleven letters of support for the NGPC instream flow appropriations were received in the Department.

5. Between February 11, 2013, and April 12, 2013, two letters of concern about the NGPC instream appropriations were received in the Department. The letters do not request a hearing or contain evidence relevant to the review.

6. On April 18, 2013, James N. Douglas, Director of NGPC, filed in the Department written documentation of the continued use of and public interest served by the appropriations.

It is therefore FOUND based upon documents on file in the Department and the above information that these appropriations continue to be used beneficially for the purposes for which they were granted, are in the public interest, and therefore should continue in effect with no modifications.

It is so ORDERED.

DEPARTMENT OF NATURAL RESOURCES

June 6, 2013

Brian P. Dunnigan, 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 offices in Bridgeport, Lincoln, Norfolk and Ord Nebraska. A copy of this Order was mailed on June 2, 2013, to the following:

James Douglas, Director  
Nebraska Game and Parks Commission  
INTERAGENCY  
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Lincoln, Nebraska 68503-0370

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Dave Jacobs, President  
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Sharon Clawson  
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Jerry F. Kenny, Executive Director  
Platte River Recovery and Implementation Program  
4111 4th Avenue, Suite 6  
Kearney, Nebraska 68847
## Attachment A


<table>
<thead>
<tr>
<th>APPROPRIATION</th>
<th>TIME PERIOD</th>
<th>PURPOSE</th>
<th>REACH</th>
<th>CUBIC FEET PER SECOND OF FLOW GRANTED</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Odessa Gage</td>
<td>Grand Island Gage</td>
</tr>
<tr>
<td>A-17329</td>
<td>June 1 - June 23</td>
<td>Maintain Fish Community</td>
<td>Below Kearney Canal Diversion Dam to Loup Power Canal Return</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>June 24 - July 31</td>
<td></td>
<td></td>
<td>400</td>
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<tr>
<td></td>
<td>Aug 1 - Aug 22</td>
<td></td>
<td></td>
<td>200</td>
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<td></td>
<td>Aug 23 - Aug 31</td>
<td></td>
<td></td>
<td>300</td>
</tr>
<tr>
<td>A-17330</td>
<td>All Year</td>
<td>Maintain Fish Community</td>
<td>Loup Power Canal Return to confluence with Eelhorn River</td>
<td>1,800</td>
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<td>A-17331</td>
<td>January</td>
<td>Maintain Fish Community</td>
<td>Eelhorn River to mouth of Platte River</td>
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<tr>
<td></td>
<td>Feb 1 - July 31</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>August</td>
<td>Maintain Fish Community</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>September</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Oct 1 - Dec 31</td>
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<td>A-17332</td>
<td>April 1-14</td>
<td>Maintain Whooping Crane Roost Habitat</td>
<td>Below Kearney Canal Diversion to U.S. Highway 281 Bridge</td>
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<td>May 4-10</td>
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<td>1,350</td>
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<td>Oct 1-11</td>
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