

From: [Marvin Swanda](#)
To: [Craig Scott](#); [William Peck](#)
Subject: Fwd: Harlan county update notice Aug. 7, 2007
Date: Friday, December 09, 2011 10:58:07 PM
Attachments: [Harlan Co notice Aug 7, 2007.pdf](#)

>>> "Edgerton, Brad" <bedgerton@dnr.ne.gov> 8/7/2007 3:55:17 PM >>>
Marv

Attached is an updated Harlan County Reservoir notice for the protected natural flows that originate in the Frenchman basin.

If you have any questions please give me a call.

Brad

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Brad Edgerton
Nebraska Dept. of Natural Resources
Field Office Supervisor
Republican River Basin

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Thank you.

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Dave Heineman
Governor

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
Ann Bleed
Director

IN REPLY REFER TO:

Bureau of Reclamation
1706 West 3 rd
McCook, NE 69001

STORAGE REGULATING NOTICE

Notice is hereby given to the water users of the water right listed below that you may store all the inflow in your reservoir **except** the protected Frenchman Valley and Riverside purchased water. On August 7, 2007 that was calculated to be 12 cfs. Therefore, 12 cfs shall be passed through Harlan County Dam until further notice.

Water Right	Priority Date	Acre-Feet	Source of Water
A-4190	January 26, 1948	350,000	Republican River

Section 11, T1N, R17W

Harlan County Reservoir

Water storage has been restricted for the protection of other legal appropriators. In accordance with the provisions of the irrigation laws of the State of Nebraska, the owner or operator of this storage facility is prohibited from storing a portion of the inflowing water as noted above until further notified by an official of the Department of Natural Resources. Any person violating this order shall be subject to the penalty provided in Section 46-254, Re-issue Revised Statutes of Nebraska, 1943, which reads as follows:

"Any person owning or in control of any ditch, reservoir or other device for appropriating or using water who shall willfully open or close, change or interfere with any head gate or controlling gate, or by any method or means take any water from any natural stream, reservoir or other source, through any ditch or canal on any land or lands, or allow the same to be done, or use or allow to be used any water upon any land or lands, or for any other purpose whatsoever, without authority from the Department of Natural Resources, or who shall store water in or release water from a reservoir other than in compliance with orders of the Director of Natural Resources or his representative, shall be guilty of a Class II misdemeanor. Each day that the water is allowed to run without authority from the Department shall constitute a separate offence."

Effective Date: August 7, 2007
Effective Hour: Noon

Issued by: Brad Edgerton
Title: Field Office Supervisor