

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19296 FOR WATER APPROPRIATION A-19371

WATER DIVISION 1-F

BACKGROUND

On July 16, 2015, Glendon Reece and Lois Luthy filed in the Department of Natural Resources (Department) application A-19371 for a Permit to Appropriate Water and map number 19296 showing land proposed to be irrigated under application A-19371.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19296 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19371 as depicted on map number 19296 which is made a part of this Order.

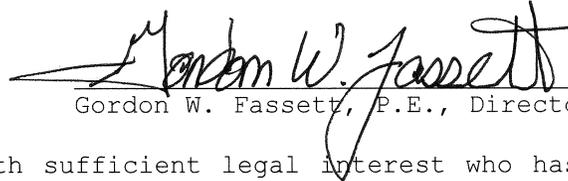
<u>Township 02 North, Range 13 East of the</u>	
<u>6<sup>th</sup> P.M. in Richardson County</u>	
	<u>Acres</u>
Section 25: NE $\frac{1}{4}$ SW $\frac{1}{4}$	3.9
SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.2
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.9
SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>9.7</u>
TOTAL	87.7

3. Appropriation A-19371 has a priority date of July 16, 2015, and authorizes the appropriator the use of water for irrigation of the 87.7 acres of land described above. The water may be diverted from the South Fork of the Nemaha River at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 35, Township 02 North, Range 13 East of the 6<sup>th</sup> P.M. in Richardson County, as depicted on map number 19296. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.25 cfs (561 gallons per minute).

4. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated nor the least amount of water necessary for the production of crops in the exercise of good husbandry. Therefore, in any year when less than the maximum permitted acres are being irrigated, the quantity of water diverted at any time may be restricted to 1/70 cfs for each permitted acre being irrigated that year. This appropriation of water under any circumstance shall be limited annually to 3 acre feet per acre of land on which water is actually and beneficially applied; not to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.
5. The appropriator is bound by all terms and conditions of the approval of application A-19371.

DEPARTMENT OF NATURAL RESOURCES

August 24, 2015

  
Gordon W. Fassett, 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, 4<sup>th</sup> 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 number 19296 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 19296, and Surface Water Administration brochure were mailed on August 24, 2015, to the following:

Glendon Reece and Lois Luthy  
63428 707<sup>th</sup> Trail  
Humboldt, Nebraska 68376

Frank Rist  
63239 712<sup>th</sup> Road  
Humboldt, Nebraska 68376