

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17738 FOR WATER APPROPRIATION A-18726

WATER DIVISION 1-C

BACKGROUND

1. On November 15, 2010, Daniel L. Shaw, on behalf of Daniel L. and Jeanette A. Shaw and Darren L. and Megan M. Shaw, filed in the Department of Natural Resources (Department) application A-18726 for a Permit to Appropriate Water.
2. On November 24, 2010, Daniel L. Shaw filed map number 17738 showing land proposed to be irrigated under application A-18726.

ORDER

IT IS HEREBY ORDERED:

1. Map number 17738 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18726 as depicted on map number 17738 which is made a part of this Order.

Township 4 North, Range 7 West of the
6th P.M. in Nuckolls County Acres

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.6
NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
NE $\frac{1}{4}$ SE $\frac{1}{4}$	19.6
SW $\frac{1}{4}$ SE $\frac{1}{4}$	25.2
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>35.0</u>
TOTAL	134.3

3. Appropriation A-18726 authorizes the appropriator the use of water for irrigation of the 134.3 acres of land described above. The water may be diverted from the Little Blue River at a point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 4 North, Range 7 West of the 6th P.M. in Nuckolls County, at a maximum rate of 1.92 cubic feet per second (cfs) (862 gallons per minute).
4. The rate that water may be diverted shall not exceed 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 three acre-feet per acre of land on which water is actually and beneficially applied.

5. The appropriator is bound by all terms and conditions of the approval of application A-18726.

DEPARTMENT OF NATURAL RESOURCES

February 7, 2011


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* 454 *Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (4th Floor Nebraska State Office Building, 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 17738 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 17738, and Surface Water Administration brochure were mailed on February 7, 2011, to the following:

Daniel L. and Jeanette A. Shaw
30460 Road Q
Edgar, Nebraska 68935

Darren L. and Megan M. Shaw
30371 Road Q
Edgar, Nebraska 68935