STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18354 FOR WATER APPROPRIATION A-18985

WATER DIVISION 1-C

BACKGROUND

1. On November 13, 2012, Kenneth D. Milius filed in the Department of Natural Resources (Department) application A-18985 for a Permit to Appropriate Water.

2. On November 30, 2012, Kenneth D. Milius filed in the Department map number 18354 showing land proposed to be irrigated under application A-18985.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18354 is APPROVED.

2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18985 as depicted on map number 18354 which is made a part of this Order.

Township 3 North, Range 1 East of the 6th P.M. in Jefferson County		Acres
Section 23:	NW¼NW¼	11.8
	NE¼NW¼	12.2
	SW¼NW¼	38.5
	SE¼NW¼	39.5
	SW¼NE¼	2.2
	NW¼SW¼	17.0
	NE¼SW¼	17.7
	TOTAL	138.9

3. Appropriation A-18985 has a priority date of November 13, 2012, and authorizes the appropriator the use of water for irrigation of the 138.9 acres of land described above. The water may be diverted from the Little Blue River at a point of diversion located on the left bank of the stream in the SW¼SW¼ of Section 23, Township 3 North, Range 1 East of the 6th P.M. in Jefferson County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.98 cfs (889 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.

5. The appropriator is bound by all terms and conditions of the approval of application A-18985.

DEPARTMENT OF NATURAL RESOURCES

February 15, 2013

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 Title 454 Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th 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 18354 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 18354, and Surface Water Administration brochure were mailed on February 15, 2013, to the following:

Kenneth D. Milius
56245 717th Avenue
Fairbury, Nebraska 68352