

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18069 FOR WATER APPROPRIATION A-18870

WATER DIVISION 2-F

BACKGROUND

On January 27, 2012, Richard Wortmann filed in the Department of Natural Resources (Department) application A-18870 for a Permit to Appropriate Water and map number 18069 showing land proposed to be irrigated under application A-18870.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18069 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18870 as depicted on map number 18069 which is made a part of this Order.

Township 32 North, Range 2 West of the	
<u>6<sup>th</sup> P.M. in Knox County</u>	<u>Acres</u>
Section 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.8
NE $\frac{1}{4}$ NW $\frac{1}{4}$	17.9
SW $\frac{1}{4}$ NW $\frac{1}{4}$	37.7
SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>40.1</u>
TOTAL	97.5

3. Appropriation A-18870 authorizes the appropriator the use of water for irrigation of the 97.5 acres of land described above. The water may be diverted from Tributary to Beaver Creek at points of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 32 North, Range 2 West of the 6<sup>th</sup> P.M. in Knox County, at a maximum combined rate of 1.39 cubic feet per second (cfs) (624 gallons per minute) from all points of diversion.
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 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-18870.

DEPARTMENT OF NATURAL RESOURCES

April 17, 2012

  
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, 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 18069 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order, map number 18069, and Surface Water Administration brochure were mailed on April 17, 2012, to the following:

Richard and Nancy E. Wortmann  
55026 892 Way  
Crofton, Nebraska 68730