

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION RLP-5061 AND MAP 18925 TO CHANGE THE LOCATION OF
DIVERSION FOR WATER APPROPRIATION A-8471

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-8471 is held by Rodney W. Skleba.
2. Appropriation A-8471 has a priority date of April 10, 1956, and authorizes the use of water for irrigation of 10.0 acres of land. The water may be diverted from the Big Blue River at points of diversion located on the left bank of the stream in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 7 North, Range 4 East of the 6th P.M. in Saline County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum combined rate of 0.07 cfs from all points of diversion.
3. Rodney W. Skleba filed petition RLP-5061 in the Department for a permit to change the location of diversion for appropriation A-8471.
4. Rodney W. Skleba filed map number 18925 in the Department showing the location of the pump site and the land to be irrigated under appropriation A-8471 through petition RLP-5061.
5. Construction has been completed.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-5061 for a permit to change the location of diversion for appropriation A-8471 and map number 18925 are APPROVED.
2. Appropriation A-8471 through petition RLP-5061 is now A-8471R.

3. Appropriation A-8471R shall be shown in the Department's records authorizing the use of water to irrigate 10.0 acres of land described below and depicted on map number 18925, which is made a part of this Order. The water may be diverted from the Big Blue River at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 7 North, Range 4 East of the 6th P.M. in Saline County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum rate of 0.07 cfs.

<u>Township 7 North, Range 4 East of the</u>		
<u>6th P.M. in Saline County</u>		<u>Acres</u>
Section 26:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	3.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>7.0</u>
	TOTAL	10.0

4. All terms and conditions of appropriation A-8471 remain in effect unless specifically changed by this Order.
5. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
 - A. Notify the Department of any change in ownership or address.
 - B. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - C. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Approval may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an appropriation for more than five consecutive years may result in cancellation of the appropriation.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations.

DEPARTMENT OF NATURAL RESOURCES

July 16, 2014


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 18925 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18925 were mailed on July 16, 2014, to the following:

Rodney W. Skleba
1071 County Road 2350
Wilber NE 68465