

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MISCELLANEOUS PETITION MIP-4822

FOR CONDUCT WATER PERMIT CWS-1676

WATER DIVISION 2-C

BACKGROUND

- Records on file in the Department of Natural Resources (Department) show that conduct water permit CWS-1676 is held by 33 Ranch LLC.
- On July 14, 2009, the Department approved application CWS-1676 for the purpose of conducting surface water appropriation D-554 for irrigation of the 272.6 acres of land described below. Water from the Niobrara River via the headgate of the Lakotah Canal will then be returned to the Niobrara River at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 30 North, Range 57 West of the 6th P.M. in Sioux County, and will flow in a southerly direction to where it will be withdrawn from the river in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 30 North, Range 56 West of the 6th P.M. in Sioux County. The land irrigated with this conduct water permit is as follows:

Township 30 North, Range 56 West of the 6 th P.M. in Sioux County		Acres	Township 30 North, Range 57 West of the 6 th P.M. in Sioux County		Acres
Section 7:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	24.3	Section 12:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.8
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.2			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5	Section 13:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	9.4
				SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>0.9</u>
Section 18:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.9	TOTAL		272.6
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.9			
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	17.3			
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	28.7			
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	31.6			
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.7			
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	35.1			
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.3			

- On September 11, 2013, John Geiser, filed petition MIP-4822 requesting a transfer of the location of use for land to be irrigated by conduct water permit CWS-1676 and map number 18541 showing the land proposed to be irrigated under permit CWS-1676 through petition MIP-4822.

ORDER

IT IS HEREBY ORDERED:

- Petition MIP-4822 for a permit for an expedited transfer of the location of use and map number 18541 are APPROVED.

2. The surface water conducted under water permit CWS-1676 through petition MIP-4822 will enter into the Niobrara River in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 30 North, Range 57 West of the 6th P.M. in Sioux County to be withdrawn in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 30 North, Range 56 West of the 6th P.M. in Sioux County, as depicted on map number 18541. The land proposed to be irrigated with this permit is described below:

Township 30 North, Range 56 West of the 6 th P.M. in Sioux County	Acres	Township 30 North, Range 57 West of the 6 th P.M. in Sioux County	Acres
Section 7: SW $\frac{1}{4}$ SW $\frac{1}{4}$	16.0	Section 12: SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.8
SE $\frac{1}{4}$ SW $\frac{1}{4}$	23.5		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5	Section 13: NE $\frac{1}{4}$ NE $\frac{1}{4}$	9.4
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>0.9</u>
Section 18: NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.9	TOTAL	186.9
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.9		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	17.3		
SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.6		
NW $\frac{1}{4}$ NE $\frac{1}{4}$	14.8		
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.3		

3. All terms and conditions of permit CWS-1676 remain in effect unless specifically changed by this Order.

DEPARTMENT OF NATURAL RESOURCES

January 29, 2015


James C. Schneider
Acting 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 18541 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 18541 were mailed on January 29, 2015, to the following:

John Geiser, Manager
33 Ranch LLC
P.O. Box 327
Harrison, Nebraska 69346