STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17797 FOR WATER APPROPRIATION A-18749

WATER DIVISION 1-D

BACKGROUND

1. On February 17, 2011, William J. and Mary Ellen Boyer filed in the Department of Natural Resources (Department) application A-18749 for a Permit to Appropriate Water.

2. On March 1, 2011, William J. and Mary Ellen Boyer filed map number 17797 showing land proposed to be irrigated under application A-18749.

ORDER

IT IS HEREBY ORDERED:

1. Map number 17797 is APPROVED.

2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18749 as depicted on map number 17797 which is made a part of this Order.

Township 2 North, Range 7 East of the 6th P.M. in Gage County		Acres
Section 35:	NW¼NW¼	3.1
	NE¼NW¼	3.9
	TOTAL	7.0

3. Appropriation A-18749 authorizes the appropriator the use of water for irrigation of the 7.0 acres of land described above. The water may be diverted from the Big Blue River at a point of diversion in the SW¼NW¼ of Section 35, Township 2 North, Range 7 East of the 6th P.M. in Gage County, at a maximum rate of 0.10 cubic foot per second (cfs) (45 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-18749.

DEPARTMENT OF NATURAL RESOURCES

May 5, 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 17797 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 17797, and Surface Water Administration brochure were mailed on May 5, 2011, to the following:

William J. and Mary Ellen Boyer
15659 East State Highway 8
Liberty, NE 68381