

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17978 FOR WATER APPROPRIATION A-18829

WATER DIVISION 1-D

BACKGROUND

1. On October 28, 2011, David S. Clabaugh, Manager of the Lower Big Blue Natural Resources District, on behalf of landowner Fred Root, filed in the Department of Natural Resources (Department) application A-18829 for a Permit to Appropriate Water.
2. On December 13, 2011, David S. Clabaugh, Manager of the Lower Big Blue Natural Resources District, filed in the Department map number 17978 showing land proposed to be irrigated under application A-18829 and CWS-2209.

ORDER

IT IS HEREBY ORDERED:

1. Map number 17978 is APPROVED.
2. The following is a description of all the land which is authorized to be irrigated (appurtenant land) under surface water appropriation A-18829 as depicted on map number 17978:

Township 3 North, Range 7 East of the	
<u>6th P.M. in Gage County</u>	<u>Acres</u>
Section 26: NW $\frac{1}{4}$ NE $\frac{1}{4}$	33.8
NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.9
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.2
SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.8
NW $\frac{1}{4}$ SW $\frac{1}{4}$	32.6
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33.4
SW $\frac{1}{4}$ SW $\frac{1}{4}$	30.5
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>6.2</u>
TOTAL	237.4

3. Fred Root is allowed to divert 154 acre-feet annually from Mud Creek Reservoir 3-A (storage appropriation A-10606) from a pump site located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 3 North, Range 7 East of the 6th P.M. in Gage County, with the permission from the appropriator of A-18829, Lower Big Blue Natural Resources District, to irrigate the land described above.

4. Map number 17978 also depicts CWS-2209, a permit to conduct surface water, which is conducted for the purpose of irrigation under appropriation A-18829.
5. The appropriator is bound by all terms and conditions of the approval of application A-18829.

DEPARTMENT OF NATURAL RESOURCES

January 20, 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, 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 17978 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 17978 were mailed on January 20, 2012, to the following:

Fred and Marilyn R. Root
8448 East Maple Road
Beatrice, Nebraska 68310

Lower Big Blue Natural Resources District
c/o David S. Clabaugh
P.O. Box 826
Beatrice, Nebraska 68310