

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17928 FOR WATER APPROPRIATION A-18796

WATER DIVISION 1-D

BACKGROUND

1. On August 2, 2011, Scott Thomas, on behalf of Scott and Sherri Thomas Land Co., LLC, filed in the Department of Natural Resources (Department) application A-18796 for a Permit to appropriate Water.
2. On August 15, 2011, Scott Thomas filed map number 17928 showing land proposed to be irrigated under application A-18796.

ORDER

IT IS HEREBY ORDERED:

1. Map number 17928 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18796 as depicted on map number 17928 which is made a part of this Order.

	Township 1 North, Range 8 East of the 6 th P.M. in Gage County	Acres
Section 2:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.4
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	31.7
Section 11:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	24.6
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>19.7</u>
	TOTAL	83.4

3. Appropriation A-18796 authorizes the appropriator the use of water for irrigation of the 83.4 acres of land described above. The water may be diverted from Plum Creek at a point of diversion on the left bank of the stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 1 North, Range 8 East of the 6th P.M. in Gage County, at a maximum rate of 1.19 cubic foot per second (cfs) (534 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-18796.

DEPARTMENT OF NATURAL RESOURCES

November 2, 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 (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 17928 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 17928, and Surface Water Administration brochure were mailed on November 2, 2011, to the following:

Scott and Sherri Thomas Land Co., LLC
42322 South 176th Road
P.O. Box 337
Liberty, Nebraska 68381