

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP NUMBER 17759 FOR CONDUCT WATER PERMIT CWG-1814

WATER DIVISION 1-D

Background

1. On December 14, 2010, the Department of Natural Resources (Department) approved application CWG-1814 for a permit to conduct groundwater, conditional upon a map being filed within 6 months.
2. On December 27, 2010, Melvin Weers filed map number 17759 in the Department showing land proposed to be irrigated under conduct water permit CWG-1814.

Order

IT IS HEREBY ORDERED:

1. Map number 17759 is APPROVED.
2. The source of water to be conducted is from a proposed groundwater well to be located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County.
3. The groundwater will be released into Big Indian Creek in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County at a rate of 2.67 cubic feet per second (1,200 gallons per minute) and will flow in a southerly direction to where it will be withdrawn in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County. The land that is proposed to be irrigated with this conducted water is described below.

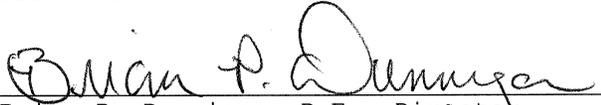
Township 2 North, Range 4 East of the
6th P.M. in Jefferson County Acres

Section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$	32.6
NE $\frac{1}{4}$ NW $\frac{1}{4}$	37.6
SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.9
SE $\frac{1}{4}$ NW $\frac{1}{4}$	2.7
NW $\frac{1}{4}$ NE $\frac{1}{4}$	38.7
NE $\frac{1}{4}$ NE $\frac{1}{4}$	34.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.5
SE $\frac{1}{4}$ NE $\frac{1}{4}$	35.5
TOTAL	217.0

4. The Department has estimated the losses in transit to be fifty percent for the distance of 5.3 river miles. The amount of water withdrawn shall be limited to fifty percent of the amount of groundwater released into the stream. The Department retains the right to make adjustments to the amount of loss in transit.
5. Measuring devices, approved by the Department, are **required** at the point of release into the stream **and** the point of withdrawal from the stream.
6. The permit holder is liable for any damages resulting from the overflow of Big Indian Creek when water conducted contributes to an overflow.
7. This permit approves the act of conducting water. Use of water being conducted is authorized by the Lower Big Blue Natural Resources District.
8. This permit may be cancelled if the permit holder fails to conduct water for more than five consecutive years.

DEPARTMENT OF NATURAL RESOURCES

January 12, 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 approval 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 (P.O. Box 94676, 301 Centennial Mall South, 4th Floor State Office Building, Lincoln, Nebraska 68509-4676) within 30 days of the date of the approval 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 17759 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 17759 were mailed on January 12, 2011, to the following:

Melvin Weers
70975 580 Avenue
Diller, Nebraska 68342

Lower Big Blue Natural Resources District
P.O. Box 826
Beatrice, Nebraska 68310