

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPROPRIATION CWG-2369 FOR A TEMPORARY PERMIT

TO CONDUCT WATER IN STREAM CHANNELS AND MAP 18263

WATER DIVISION 1-D

BACKGROUND

On July 12, 2012, Tracy L. Weichel Karl filed in the Department application CWG-2369 for a temporary permit to conduct groundwater in a stream channel and map number 18263 showing land proposed to be irrigated under application CWG-2369.

ORDER

IT IS HEREBY ORDERED:

1. Application CWG-2369 for a temporary permit to conduct groundwater and map number 18263 are APPROVED.
2. The source of water to be conducted is from groundwater well G-062080 located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 5 North, Range 3 East of the 6th P.M. in Saline County.
3. The groundwater will be released into Walnut Grove Creek in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 5 North, Range 3 East of the 6th P.M. in Saline County at a rate of 600 gallons per minute and will be withdrawn from Swan Creek at no more than a rate of 570 gallons per minute. The water will be withdrawn from a pump site located on the left bank of the stream in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 5 North, Range 3 East of the 6th P.M. in Saline County.
4. If the instantaneous rate of water conducted into the stream from the well is less than the rate described above, then the instantaneous amount of water withdrawn from the stream shall be no more than 95 percent of the total water conducted into the stream.
5. The Department will make every effort to administer the stream so that the water conducted, less the appropriate conveyance losses through the system, may reach the withdrawal point. However, this is not a guarantee; the permit holder assumes the risk involved in this activity.

6. The following land is authorized to be irrigated under conduct water permit CWG-2369 as depicted on map number 18263 which is made a part of this Order.

Township 5 North, Range 3 East of the
6th P.M. in Saline County Acres

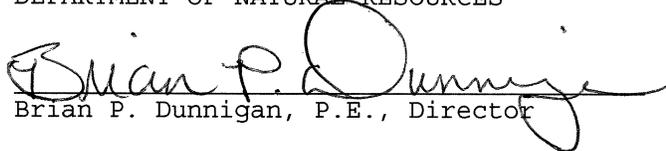
Section 23:	NW 1 / 4 NE 1 / 4	23.5
	NE 1 / 4 NE 1 / 4	40.2
	SW 1 / 4 NE 1 / 4	1.1
	SE 1 / 4 NE 1 / 4	<u>17.7</u>

TOTAL 82.5

7. A measuring device, approved by the Department, is **required** to be installed to meter the amount of water entering Walnut Grove Creek for the purpose of irrigation and related to conducting water under conduct water permit CWS-2369.
8. A measuring device, approved by the Department, is **required** to be installed to meter the amount of water withdrawn from Swan Creek for the purpose of irrigation and related to conducting water under conduct water permit CWS-2369.
9. Additional measuring, instrumentation or reporting requirements may be required as needed for the Department to efficiently administer water use in Water Division 1-D.
10. This temporary permit approves the act of conducting groundwater. The Lower Big Blue Natural Resources District was consulted and had no objections.
11. The permit holder is liable for any damages resulting from the activity authorized under this permit.
12. This permit EXPIRES one year from the date of this Order and the temporary conduct water permit will be CANCELLED without further action by the Department as of that date.
13. Pursuant to *Neb. Rev. Stat. § 46-252*, the permit holder shall not be exempt from obtaining any other permits required by law.

DEPARTMENT OF NATURAL RESOURCES

July 13, 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 18263 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18263 were mailed on July 13, 2012, to the following:

Tracy L. Weichel Karl
72560 578th Avenue
DeWitt, Nebraska 68341

David Calbaugh, Manager
Lower Big Blue Natural
Resources District
P.O. Box 826
Beatrice, Nebraska 68310-0826