

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION CWG-2054 AND APPROVAL OF MAP 17803
FOR A PERMIT TO CONDUCT GROUNDWATER
WATER DIVISION 1-D

Background

1. On March 3, 2011, Bruce and Elizabeth Daubendiek filed in the Department of Natural Resources (Department) application CWG-2054 for a permit to conduct groundwater into a reservoir and remove a portion of the same water from said reservoir.
2. On May 23, 2011, Bruce and Elizabeth Daubendiek filed map number 17803 showing land proposed to be irrigated under conduct water permit CWG-2054.

Order

IT IS HEREBY ORDERED:

1. Application CWG-2054 and map number 17803 are hereby APPROVED.
2. The source of water to be conducted is from groundwater well G-150324 located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 5 North, Range 7 East of the 6th P.M. in Gage County.
3. The groundwater will be released into Bear-Pierce-Cedar Reservoir 3-A (Storage appropriation A-11038) in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 5 North, Range 7 East of the 6th P.M. in Gage County at a rate of 200 gallons per minute. The water will be withdrawn from two pump sites located on both banks of the reservoir in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 5 North, Range 7 East of the 6th P.M. in Gage County. The land that is proposed to be irrigated with this conducted water is described below.

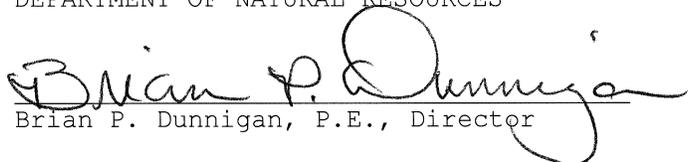
<u>Township 5 North, Range 7 East of the 6th P.M. in Gage County</u>		<u>Acres</u>
Section 30:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	18.8
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32.8
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.6
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>15.8</u>
	TOTAL	80.0

4. Approval of CWG-2054 is in part based on the information provided on map number 17803. If any change in location of use is desired, the Applicant must contact the Department to update the map.

5. Measuring devices, approved by the Department, are **required** at the point of release into the reservoir **and** the point of withdrawal from the reservoir.
6. The permit holder is liable for any damages resulting from the overflow of Bear-Pierce-Cedar Creek Reservoir 3-A 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

June 16, 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. A copy of this Order was provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed on June 16, 2011, to the following:

Bruce and Elizabeth Daubendiek
3557 East Elm Road
Beatrice, Nebraska 68310

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