

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION CWG-2271

FOR A PERMIT TO CONDUCT GROUND WATER AND MAP NUMBER 18169

WATER DIVISION 1-D

Background

1. On February 2, 2012, Dennis D. and Crystal J. Broz filed in the Department of Natural Resources (Department) application CWG-2271 for a permit to conduct groundwater into a stream and remove a portion of the same water downstream.
2. The Lower Big Blue Natural Resources District (LBBNRD) was consulted and they found the use of the groundwater to be in compliance with the District's groundwater management rules.
3. On April 16, 2012, Dennis D. and Crystal J. Broz filed in the Department map number 18169 showing land proposed to be irrigated with water conducted under CWG-2271.

Order

IT IS HEREBY ORDERED:

1. Application CWG-2271 is hereby 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 12, Township 5 North, Range 2 East of the 6<sup>th</sup> P.M. in Saline County.
3. The groundwater will be released into Swan Creek Reservoir Number 12, storage appropriation A-17538, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 12, Township 5 North, Range 2 East of the 6<sup>th</sup> P.M. in Saline County at a rate of 500 gallons per minute, and the same amount of water or less will be withdrawn from a pumpsite on the right bank of the reservoir located in the E $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 12, Township 5 North, Range 2 East of the 6<sup>th</sup> P.M. in Saline County.
4. The following is a description of the land proposed to be irrigated with water conducted under CWG-2271 as depicted on map number 18169 and is made a part of this Order:

Township 5 North, Range 2 East of the  
6<sup>th</sup> P.M. in Saline County

	Acres
Section 12: NW $\frac{1}{4}$ SE $\frac{1}{4}$	32.6
NE $\frac{1}{4}$ SE $\frac{1}{4}$	3.4
SW $\frac{1}{4}$ SE $\frac{1}{4}$	32.6
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>9.7</u>
TOTAL	78.3

5. The Department retains the right to make adjustments to the amount of loss in transit.
6. Measuring devices, approved by the Department, are **required** at the point of release into the reservoir **and** the point of withdrawal from the reservoir.
7. The permit holder may be held liable for damages resulting from the overflow of Swan Creek Reservoir Number 12, storage appropriation A-17538, to the extent water conducted contributes to damages from an overflow.
8. This permit approves the act of conducting water. Use of groundwater being conducted is regulated by the LBBNRD.
9. This permit may be cancelled if the permit holder fails to conduct water for more than five consecutive years, or if the groundwater well is not constructed and operated as specified in this Order and map number 18169.

DEPARTMENT OF NATURAL RESOURCES

July 27, 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, 4<sup>th</sup> 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 18169 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18169 were mailed on July 27, 2012, to the following:

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

Dennis D. and Crystal J. Broz  
1746 County Road 1500  
Wilber, Nebraska 68465