

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19297 FOR WATER APPROPRIATION A-19372

WATER DIVISION 1-F

BACKGROUND

On July 16, 2015, Glendon Reece and Lois Luthy and Kevin Spearman filed in the Department of Natural Resources (Department) application A-19372 for a Permit to Appropriate Water and map number 19297 showing land proposed to be irrigated under application A-19372.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19297 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19372 as depicted on map number 19297 which is made a part of this Order.

Township 02 North, Range 13 East of the
6th P.M. in Richardson County Acres

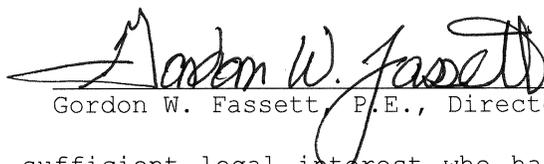
Section 35:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	29.5
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.6
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.7
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.3
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	36.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>1.9</u>
	TOTAL	212.0

3. Appropriation A-19372 has a priority date of July 16, 2015, and authorizes the appropriator the use of water for irrigation of the 212.0 acres of land described above. The water may be diverted from the South Fork of the Nemaha River at points of diversion located on both banks of the stream in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35, Township 02 North, Range 13 East of the 6th P.M. in Richardson County, as depicted on map number 19297. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 3.03 cfs from all points of diversion (1,360 gallons per minute).

4. Water diverted shall not exceed the ratio of 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 3 acre-feet per acre of land on which water is actually and beneficially applied; not to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.
5. The appropriator is bound by all terms and conditions of the approval of application A-19372.

DEPARTMENT OF NATURAL RESOURCES

August 24, 2015


Gordon W. Fassett, 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 19297 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 19297, and Surface Water Administration brochure were mailed on August 24, 2015, to the following:

Glendon Reece and Lois Luthy
63428 707th Trail
Humboldt, Nebraska 68376

Kevin Spearman
5725 Whitmore
Omaha, Nebraska 68152

Frank Rist
63239 712th Road
Humboldt, Nebraska 68376