STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18452 FOR WATER APPROPRIATION A-19032

WATER DIVISION 2-F

BACKGROUND

1. On March 1, 2013, Gary and Cynthia Graham filed in the Department of Natural Resources (Department) application A-19032 for a Permit to Appropriate Water.

2. On May 2, 2013, Gary and Cynthia Graham filed in the Department map number 18452 showing land proposed to be irrigated under application A-19032.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18452 is APPROVED.

2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19032 as depicted on map number 18452 which is made a part of this Order.

| Township 29 North, Range 1 East of the 6th P.M. in Cedar County | | Acres |
|---|---|---|
| Section 3: | NW¼NW¼ | 41.3 |
| | NE¼NW¼ | 40.4 |
| | SW¼NW¼ | 40.4 |
| | SE¼NW¼ | 40.3 |
| | TOTAL | 162.4 |

3. Appropriation A-19032 has a priority date of March 1, 2013, and authorizes the appropriator the use of water for irrigation of the 162.4 acres of land described above. The water may be diverted from Pearl Creek at points of diversion located on both banks of the stream in the NW¼NW¼ of Section 3, Township 29 North, Range 1 East of the 6th P.M. in Cedar County. 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 2.32 cfs from all points of diversion (1,041 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.

DEPARTMENT OF NATURAL RESOURCES

July 10, 2013

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 18452 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order, map number 18452, and Surface Water Administration brochure were mailed on July 10, 2013, to the following:

Gary and Cynthia Graham
56099 876 Road
Hartington, Nebraska 68739