STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION CWG-3590 AND MAP 18520

FOR A PERMIT TO CONDUCT GROUNDWATER

WATER DIVISION 1-D

BACKGROUND

1. On March 1, 2013, Ron Miller filed in the Department of Natural Resources (Department) application CWG-3590 for a permit to conduct groundwater into a stream and remove a portion of the same water downstream.

2. This permit approves the act of conducting groundwater. The Lower Big Blue Natural Resources District was consulted and had no objections.

3. On May 22, 2013, Ron Miller filed in the Department map number 18520 showing land proposed to be irrigated with water conducted under CWG-3590.

ORDER

IT IS HEREBY ORDERED:

1. Application CWG-3590 is hereby APPROVED.

2. The source of water to be conducted is from a proposed groundwater well to be located in the center of the NW¼ of Section 15, Township 6 North, Range 5 East of the 6th P.M. in Gage County.

3. The groundwater will be released into a tributary to Clatonia Creek in the NE¼NE¼ of Section 15, Township 6 North, Range 5 East of the 6th P.M. in Gage County at a rate of 800 gallons per minute, and may be withdrawn from a pumpsite on the left bank of the Clatonia Creek Reservoir 4-A (storage appropriation A-12819) at no more than a rate of 760 gallons per minute. The conducted water will be withdrawn from a pump site located in the SW¼SW¼ of Section 14, Township 6 North, Range 5 East of the 6th P.M. in Gage County.

4. If the rate of water being conducted into the stream from the well is less than the rate described above, then the rate of withdrawal shall be no more than 95 percent of the actual rate entering 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 is a description of the land proposed to be irrigated with water conducted under CWG-3590 as depicted on map number 18520 and is made a part of this Order:

Township 6 North, Range 5 East of the 6th P.M. in Saline County		Acres
Section 14:	NW¼SW¼	20.0
	NE¼SW¼	40.1
	SW¼SW¼	19.1
	SE¼SW¼	36.5
	TOTAL	115.7

7. The Department retains the right to make adjustments to the amount of loss in transit.

8. A measuring device, approved by the Department, is **required** to be installed to meter the amount of water entering into a tributary to Clatonia Creek for the purpose of irrigation and related to conducting water under conduct water permit CWG-3590.

9. A measuring device, approved by the Department, is **required** to be installed to meter the amount of water withdrawn from Clatonia Creek Reservoir 4-A (storage appropriation A-12819) for the purpose of irrigation and related to conducting water under conduct water permit CWG-3590.

10. Additional measuring, instrumentation or reporting requirements may be required as needed for the Department to efficiently administer water use in Water Division 1-D.

11. The permit holder is liable for any damages resulting from the activity authorized under this permit.

12. This permit approves the act of conducting water. Use of groundwater being conducted is authorized by the LBBNRD.

13. This permit may be cancelled if the permit holder fails to conduct water for more than five consecutive years.

14. 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

October 1, 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 18520 were provided to the Department's field office in Lincoln, Nebraska Copies of this Order and map number 18520 were mailed on October 1, 2013, to the following:

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

Ron Miller
4847 SW 86 Road
Clatonia, Nebraska 68328