

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18383 FOR WATER APPROPRIATION A-18993

WATER DIVISION 2-F

BACKGROUND

1. On December 12, 2012, William Lechtenberg and the Francis H. Lechtenberg Trust filed in the Department of Natural Resources (Department) application A-18993 for a Permit to Appropriate Water.
2. On January 31, 2013, Darlene Lechtenberg, Trustee of the Francis H. Lechtenberg Trust, filed in the Department map number 18383 showing land proposed to be irrigated under application A-18993.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18383 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18993 as depicted on map number 18383 which is made a part of this Order.

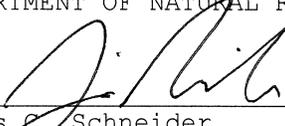
Township 34 North, Range 12 West of the	
<u>6<sup>th</sup> P.M. in Boyd County</u>	<u>Acres</u>
Section 17: NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	18.9
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	34.6
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	10.2
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	29.3
NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	4.4
SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	<u>14.9</u>
TOTAL	112.3

3. Appropriation A-18993 has a priority date of December 12, 2012, and authorizes the appropriator the use of water for irrigation of the 112.3 acres of land described above. The water may be diverted from Ponca Creek at a point of diversion located on the left bank of the stream in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 17, Township 34 North, Range 12 West of the 6<sup>th</sup> P.M. in Boyd County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.60 cfs (718 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.
5. The appropriator is bound by all terms and conditions of the approval of application A-18993.

DEPARTMENT OF NATURAL RESOURCES

December 12, 2014

  
James C. Schneider  
Acting 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 18383 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 18383, and Surface Water Administration brochure were mailed on December 12, 2014, to the following:

Francis H. Lechtenberg Trust  
c/o Darlene Lechtenberg, Trustee  
48600 903<sup>rd</sup> Road  
Butte, Nebraska 68722

William Lechtenberg  
48713 Nordic Road  
Spencer, Nebraska 68777