

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17822 FOR WATER APPROPRIATION A-18761

WATER DIVISION 2-C

BACKGROUND

1. On March 18, 2011, Philip and LeAnn Pierce and David Pierce filed in the Department of Natural Resources (Department) application A-18761 for a Permit to Appropriate Water.
2. On April 1, 2011, Philip and LeAnn Pierce filed map number 17822 showing land proposed to be irrigated under application A-18761.

ORDER

IT IS HEREBY ORDERED:

1. Map number 17822 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18761 as depicted on map number 17822 which is made a part of this Order.

Township 30 North, Range 8 West of the 6 th P.M. in Knox County	Acres
Section 36: NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.3
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.2
NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.1
NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.1
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>39.9</u>
TOTAL	200.6

3. Appropriation A-18761 authorizes the appropriator the use of water for irrigation of the 200.6 acres of land described above. The water may be diverted from Middle Branch of Verdigre Creek at points of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 30 North, Range 8 West of the 6th P.M. in Knox County, at a maximum combined rate of 2.87 cubic foot per second (cfs) (1288 gallons per minute) from all points of diversion.

4. The rate that water may be diverted shall not exceed 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 three 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-18761.

DEPARTMENT OF NATURAL RESOURCES

June 8, 2011


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* 454 *Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (4th Floor, Nebraska State Office Building, 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 17822 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 17822, and Surface Water Administration brochure were mailed on June 9, 2011, to the following:

Philip and LeAnn Pierce
87746 516 Avenue
Verdigre, Nebraska 68783

David Pierce
51211 876 Road
Orchard, Nebraska 68764