

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION RLP-5293 AND MAP 19212 TO CHANGE THE LOCATION OF
DIVERSION FOR WATER APPROPRIATION A-15535B

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15535B is held by Mark Scott.
2. Appropriation A-15535B has a priority date of August 1, 1979, and authorizes the use of water for irrigation of 112 acres of land. The water may be diverted from the Cedar River at a point of diversion located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 18 North, Range 7 West of the 6th P.M. in Nance County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 589 acres irrigated at a maximum rate of 0.19 cfs.
3. On February 2, 2015, Mark Scott filed petition RLP-5293 in the Department for a permit for two additional locations of diversion for appropriation A-15535B.
4. On May 12, 2015, Mark Scott filed map number 19212 in the Department showing the location of the additional proposed pump sites and the land to be irrigated under appropriation A-15535B through petition RLP-5293.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-5293 for a permit to add two locations of diversion for appropriation A-15535B and map number 19212 are APPROVED.
2. Appropriation A-15535B through petition RLP-5293 is now A-15535BR.

Nebraska law provides that failure to use an appropriation for more than five consecutive years may result in cancellation of the appropriation.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations.

DEPARTMENT OF NATURAL RESOURCES

May 27, 2015



James C. Schneider, Ph.D.
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, 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 19212 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 19212 were mailed on May 27, 2015, to the following:

Mark Scott
45582 North 205th Avenue
Belgrade, Nebraska 68623