

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19151 FOR WATER APPROPRIATION A-19312

WATER DIVISION 2-C

BACKGROUND

1. On November 24, 2014, Timothy Kalkowski, on behalf of Louse Creek, LLC, filed in the Department of Natural Resources (Department) application A-19312 for a Permit to Appropriate Water.
2. On January 20, 2015, Timothy Kalkowski, on behalf of Louse Creek, LLC, filed in the Department map number 19151 showing land proposed to be irrigated under application A-19312.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19151 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19312 as depicted on map number 19151 which is made a part of this Order.

Township 32 North, Range 10 West of the 6 <sup>th</sup> P.M. in Holt County	Acres
Section 25: NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	35.0
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	35.0
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	35.0
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	35.0
NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	35.0
NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	27.2
SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	35.0
SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	<u>16.6</u>
TOTAL	253.8

3. Appropriation A-19312 has a priority date of November 24, 2014, and authorizes the appropriator the use of water for irrigation of the 253.8 acres of land described above. The water may be diverted from a tributary to Louse Creek at a point of diversion located in the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 30, Township 32 North, Range 9 West of the 6<sup>th</sup> P.M. in Holt County, as depicted on map number 19151. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every **462** acres irrigated at a maximum combined rate of 0.55 cfs (247 gallons per minute).

4. Water diverted shall not exceed the ratio of one cfs for every **462** 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 1/462 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; not to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.
5. Appropriation A-19312 provides additional water to land approved for irrigation under natural flow appropriation A-18838R.
6. The appropriator is bound by all terms and conditions of the approval of application A-19312.

DEPARTMENT OF NATURAL RESOURCES

June 3, 2015

  
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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, 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 19151 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 19151, and Surface Water Administration brochure were mailed on June 3, 2015, to the following:

Timothy Kalkowski  
Louse Creek, LLC  
1916 Devonshire Drive  
Lincoln, Nebraska 68506