STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION CWG-5302 AND MAP 19251

FOR A PERMIT TO CONDUCT GROUNDWATER

WATER DIVISION 1-D

BACKGROUND

1. On February 9, 2015, Charles L. Barber, on behalf of Marcy Barber and Angela and Chris Clifford, filed in the Department of Natural Resources (Department) application CWG-5302 for a permit to conduct groundwater in a stream channel.

2. On May 22, 2015, Charles L. Barber, on behalf of Marcy Barber and Angela and Chris Clifford, filed map number 19251 showing land proposed to be irrigated under application CWG-5302.

3. This application requests the act of conducting groundwater. The Lower Big Blue Natural Resources District (District) was consulted and had concerns regarding salinity concentration of the water. The District decided not to object to the application because the water will be applied to land owned by the applicant through a center pivot irrigation system and no water will be conducted off property into the stream.

ORDER

IT IS HEREBY ORDERED that application CWG-5302 and map 19251 are APPROVED subject to the following limitations and conditions:

1. The source of water to be conducted for CWG-5302 is from groundwater well G-165940 located in the SE¼SE¼ of Section 19, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County.

2. The groundwater will be pumped through an underground pipe at a rate of 300 gallons per minute and released into Barber Farms Reservoir (storage permit A-19331) in the NW¼¼SE¼ of Section 19, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County.

3. The following is a description of the land proposed to be irrigated with water conducted under conduct water permit CWG-5302 as depicted on map number 19251 which is made a part of this Order.

Township 2 North, Range 4 East of the 6th P.M. in Jefferson County		Acres
Section 19:	NW¼SE¼	27.9
	SW¼SE¼	34.0
	SE¼SE¼	22.1
Section 20:	SW¼NW¼	3.6
	SE¼NW¼	3.6
	NW¼SW¼	36.6
	NE¼SW¼	37.0
	SW¼SW¼	26.5
	SE¼SW¼	26.3
	TOTAL	217.6

4. A measuring device, approved by the Department, may be required to be installed to meter the amount of water entering the underground pipe system for the purpose of irrigation and related to conducting water under conduct water permit CWG-5302.

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

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

7. This permit approves the act of conducting water. Use of groundwater being conducted is authorized by the Lower Big Blue Natural Resources District.

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

9. 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

June 3, 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 19251 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 19251 were mailed on June 3, 2015, to the following:

Marcy Barber
c/o Charles L. Barber
71000 577th Avenue
Diller, Nebraska 68342

Angela and Chris Clifford
57610 709 Road
Diller, Nebraska 68342