

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17402 FOR WATER APPROPRIATION A-18659

WATER DIVISION 2-F

Background

1. On April 15, 2009, Russell Schmidt filed application A-18659 for a Permit to Appropriate Water.
2. On April 27, 2009, Russell Schmidt filed map number 17402 showing land proposed to be irrigated under application A-18659.

Order

IT IS HEREBY ORDERED:

1. Map number 17402 is APPROVED.
2. The following is a description of all the land which is authorized to be irrigated (appurtenant land) under surface water appropriation A-18659 as depicted on map number 17402 which is made a part of this Order.

Township 33 North, Range 1 West of the 6 th P.M. in Cedar County	Acres
Section 36: NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.4
NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>27.6</u>
TOTAL	38.0

3. Appropriation A-18659 is held by Russell Schmidt and authorizes the use of water for irrigation of the 38.0 acres of land described above. The water may be diverted from a tributary to Antelope Creek at a point of diversion on the right bank in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 33 North, Range 1 West of the 6th P.M. in Cedar County at a maximum rate of 0.54 cubic foot per second (cfs) (242 gallons per minute). The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated and an annual volume not to exceed 3 acre-feet per acre irrigated.
4. The appropriator is bound by all terms and conditions of the approval of application A-18659.

DEPARTMENT OF NATURAL RESOURCES

June 4, 2009

/s/
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 Nebraska Administrative Procedures Act (Sections 84-901 et. seq. RSS) and the Department's Rules of Practice and Procedure (454 N.A.C. Chapter 007). The request must be received by the Department at its Lincoln office (301 Centennial Mall South, 4th Floor State Office Building, Lincoln, NE 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 17402 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 17402 were mailed on June _____, 2009, to the following:

Russell Schmidt
89498 558 Avenue
Yankton SD 57078