

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18246 FOR WATER APPROPRIATION A-18900

WATER DIVISION 2-C

BACKGROUND

1. On March 22, 2012, Lynn J. Pierce, on behalf of the Life Estate of Evelyn A. Pierce and himself, filed in the Department of Natural Resources (Department) application A-18900 for a Permit to Appropriate Water.
2. On June 26, 2012, Philip R. Pierce, on behalf of the Life Estate of Evelyn A. Pierce and Lynn J. Pierce, filed in the Department map number 18246 showing land proposed to be irrigated under application A-18900.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18246 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18900 as depicted on map number 18246 which is made a part of this Order.

Township 30 North, Range 8 West of the 6 <sup>th</sup> P.M. in Knox County	Acres
Section 24: SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.1
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>25.8</u>
TOTAL	36.9

3. Appropriation A-18900 has a priority date of March 22, 2012, and authorizes the appropriator the use of water for irrigation of the 36.9 acres of land described above. The water may be diverted from the Middle Branch of Verdigre Creek at points of diversion located on the right bank of the stream in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 24 and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 25, both in Township 30 North, Range 8 West of the 6<sup>th</sup> P.M. in Knox County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 0.53 cfs from all points of diversion (238 gallons per minute).

4. Water diverted shall not exceed the ratio of 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-18900.

DEPARTMENT OF NATURAL RESOURCES

July 25, 2012

  
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 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 18246 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 18246, and Surface Water Administration brochure were mailed on July 25, 2012, to the following:

Lynn J. Pierce  
835 Cornhusker Avenue  
West Point, Nebraska 68788

Philip R. Pierce  
87746 516 Avenue  
Verdigre, Nebraska 68783

Evelyn A. Pierce  
51552 878 Road  
Verdigre, Nebraska 68783