

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

Receipt 2011, A2011

In the Matter of Application to Impound ) PETITION FOR LEAVE TO FILE OR  
Water in Stoneridge Lake ) CONSIDER AN APPLICATION TO  
) IMPOUND WATER AND AN  
) APPLICATION FOR APPROVAL OF  
) PLANS FOR DAMS

COMES NOW N.P. Land Development, Inc., Petitioner and states:

1. Petitioner is the owner of SE¼, Sec 24, T9N, R16W, Buffalo County, Nebraska.
2. Petitioner has had prepared an Application to Impound Water and an Application for Approval of Plans for Dams, copies of which are attached hereto.

3. Petitioner requests leave to file said Applications for the following reasons:

A. Upon approval of the Applications, surface water will be stored on a one-time basis in the reservoir. Thereafter, groundwater from one or both previously registered wells located in the same quarter section will be used to maintain the reservoir level (see attached copy of well registrations). Also, the one-time fill of surface water will occur only after the applicant through its representative is advised by the Department of Natural Resources in response to an inquiry from the applicant, that water may be stored in priority or without impacting any downstream water right. In the event that any surface water is inadvertently stored out of priority either it will be released or an equivalent amount of groundwater will be pumped into the "stream" immediately downstream from the reservoir outlet.

B. Applicant also states that the property within the quarter section was previously irrigated with groundwater. Crops previously grown were corn and alfalfa. The seasonal crop water use of corn and alfalfa in this part of the state averages 24-27 and 32-35 inches per year (Neb. Guide G90-992-A, Table I, p. 4). The average of these numbers is 29.5 inches per year. The average growing season precipitation at this location is approximately 20 inches (The Groundwater Atlas of Nebraska, 2<sup>nd</sup> Edition, Figure 16, p. 34). Thus, the net consumptive use has been approximately 9.5 inches per year. Previously, at least 135 acres were irrigated. Consequently, the net consumptive use not provided by precipitation averaged approximately 1,282.50 acre inches per year (9.5 in./yr./ac net cu x 135 acres). This land will be developed for mixed land use of residential, business and retail property, all of which will be supplied with water by the City of Kearney. Crops will no longer be grown on this property.

The wells will be used to maintain the lake level as described herein. Stoneridge Lake will cover approximately 26 acres. The total annual lake evaporation from a lake in this area averages approximately 48 inches per year (Neb. Department of Environmental Quality, Title 124, Chapter 18, Figure 18.3). The average annual precipitation in the area is approximately 25 inches (The Groundwater Atlas of Nebraska, 2<sup>nd</sup> Edition, Figure 16, p. 34). Thus, the net evaporation from the reservoir is expected to average 598 acre inches (48 inches evaporation – 25 inches precipitation = 23 inches net evaporation x 26 acres of lake). The result will be a reduction in use of water on this ground (1,282.5 acre inches previously used – 598 acre inches to be consumed from the lake = 684.5 reduction).

WHEREFORE, the undersigned respectfully requests that the Department grant leave to Petitioner to file the attached Application to Impound Water and the Application for Approval of Plans for Dams.

Dated this 10<sup>th</sup> day of February, 2005.

N.P. LAND DEVELOPMENT, INC., Petitioner

By: KNUDSEN, BERKHEIMER,  
RICHARDSON & ENDACOTT, LLP  
1248 "O" St., Suite 1000  
Lincoln, Nebraska 68508  
(402) 475-7011

By: LeRoy W. Sievers  
LeRoy W. Sievers - #15577  
One of Said Attorneys