

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18392 FOR WATER APPROPRIATION A-18499

WATER DIVISION 2-C

BACKGROUND

1. On April 9, 2007, Todd Muck filed in the Department of Natural Resources (Department) application A-18499 for a Permit to Appropriate Water.
2. On March 19, 2013, Todd Muck filed in the Department map number 18392 showing land proposed to be irrigated under application A-18499.
3. On December 15, 2014, Todd Muck corrected filed in the Department map number 18392 showing land proposed to be irrigated under application A-18499.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18392 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18499 as depicted on map number 18392 which is made a part of this Order.

Township 31 North, Range 42 West of the
6th P.M. in Sheridan County

	Acres
Section 23: NW ¹ / ₄ NE ¹ / ₄	28.6
NE ¹ / ₄ NE ¹ / ₄	32.5
SW ¹ / ₄ NE ¹ / ₄	30.7
SE ¹ / ₄ NE ¹ / ₄	32.9
NW ¹ / ₄ SE ¹ / ₄	2.7
NE ¹ / ₄ SE ¹ / ₄	29.4
SW ¹ / ₄ SE ¹ / ₄	12.8
SE ¹ / ₄ SE ¹ / ₄	26.7
TOTAL	196.3

3. Appropriation A-18499 has a priority date of April 9, 2007, and authorizes the appropriator the use of water for irrigation of the 196.3 acres of land described above. The water may be diverted from the Niobrara River at a point of diversion located on the left bank of the stream in the SE¹/₄NW¹/₄ of Section 26, Township 31 North, Range 42 West of the 6th P.M. in Sheridan County, as depicted on map number 18392. Water diverted shall not exceed the ratio of

one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.80 cfs (1,257 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 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. The appropriator is bound by all terms and conditions of the approval of application A-18499.

DEPARTMENT OF NATURAL RESOURCES

December 31, 2014



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 18392 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order, map number 18392, and Surface Water Administration brochure were mailed on December 31, 2014, to the following:

Todd Muck
5768 Lower Twin Clock Road
Castle Rock, Colorado 80104