

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18047 FOR WATER APPROPRIATION A-18886

WATER DIVISION 2-F

BACKGROUND

On March 7, 2012, Bradley and Shannon L. Mahon and Jeremy B. Mahon filed in the Department of Natural Resources (Department) application A-18886 for a Permit to Appropriate Water and map number 18047 showing land proposed to be irrigated under this application.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18047 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18886 as depicted on map number 18047 which is made a part of this Order.

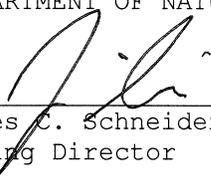
<u>Township 33 North, Range 9 West of the</u> <u>6th P.M. in Boyd County</u>	<u>Acres</u>
Section 35: NE $\frac{1}{4}$ NW $\frac{1}{4}$	37.4
NW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>20.5</u>
TOTAL	57.9

3. Appropriation A-18886 has a priority date of March 7, 2012, and authorizes the appropriator the use of water for irrigation of the 57.9 acres of land described above. The water may be diverted from a tributary to Ponca Creek at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 33 North, Range 9 West of the 6th P.M. in Boyd County, as depicted on map number 18047. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.83 cfs (373 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-18886.

DEPARTMENT OF NATURAL RESOURCES

December 10, 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 18047 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 18047, and Surface Water Administration brochure were mailed on December 10, 2014, to the following:

Bradley and Shannon L. Mahon
51415 Highway 12
Niobrara, Nebraska 68760

Jeremy B. Mahon
51147 Highway 12
Niobrara, Nebraska 68760