

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
APPROVAL OF APPLICATION CWG-4861
FOR A PERMIT TO CONDUCT GROUNDWATER
WATER DIVISION 1-D

Background

1. On November 8, 2013, Mark Weers, on behalf of M.E. Weers Farms, Inc., and Melvin Weers, on behalf of Weers M & J Farms, Inc., filed in the Department of Natural Resources (Department) application CWG-4861 for a permit to conduct groundwater, from a proposed groundwater well, into a stream and remove a portion of the same water downstream.
2. The Lower Big Blue Natural Resources District (LBBNRD) was consulted and they found the use of the groundwater to be in compliance with the District's groundwater management rules.
3. On June 26, 2014, Charles Sargent Irrigation, Inc., filed in the Department a groundwater well registration on behalf of M.E. Weers Farms, Inc. The well registered was assigned registration number G-172672 and is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County for the purpose of irrigation, with a pumping rate of 500 gallons per minute.
4. On July 8, 2014, Mark Weers, on behalf of M.E. Weers Farms, Inc., and Weers M & J Farms, Inc., filed in the Department map number 18752 showing land proposed to be irrigated with water conducted under CWG-4861.

Order

IT IS HEREBY ORDERED:

1. Application CWG-4861 is hereby APPROVED.
2. The source of water to be conducted is from groundwater well G-172672 located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County.

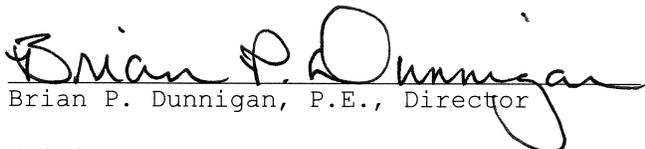
3. The groundwater will be released into Weers Reservoir (storage appropriation A-19160) in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County at a rate of 400 gallons per minute, and the same amount of water or less will be withdrawn from a pumpsite on the left bank of the reservoir located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 2 North, Range 4 East of the 6th P.M. in Jefferson County.
4. The following is a description of the land proposed to be irrigated with water conducted under CWG-4861 as depicted on map number 18752 which is made a part of this Order:

Township 2 North, Range 4 East of the 6 th P.M. in Jefferson County	Acres
Section 23: NW $\frac{1}{4}$ NW $\frac{1}{4}$	29.0
NE $\frac{1}{4}$ NW $\frac{1}{4}$	39.4
SW $\frac{1}{4}$ NW $\frac{1}{4}$	28.7
SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.8
NW $\frac{1}{4}$ NE $\frac{1}{4}$	22.2
SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>20.9</u>
TOTAL	180.0

5. The Department retains the right to make adjustments to the amount of loss in transit.
6. The permit holder is liable for any damages resulting from the overflow of Weers Reservoir (storage appropriation A-19160) when water conducted contributes to an overflow.
7. This permit approves the act of conducting water. Use of groundwater being conducted is authorized by the LBBNRD.
8. This permit may be cancelled if the permit holder fails to conduct water for more than five consecutive years.

DEPARTMENT OF NATURAL RESOURCES

September 10, 2014


 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, 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 18752 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18752 were mailed on September 10, 2014, to the following:

Lower Big Blue Natural Resources District
P.O. Box 826
Beatrice, Nebraska 68310

M.E. Weers Farms, Inc.
c/o Mark Weers
70980 579 Avenue
Diller, NE 68342

Weers M & J Farms, Inc.
c/o Melvin Weers
70975 580 Avenue
Diller, NE 68342