

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19008 FOR WATER APPROPRIATION A-19214

WATER DIVISION 1-F

BACKGROUND

1. On March 25, 2014, Michael D. and Jodi R. Damme filed in the Department of Natural Resources (Department) application A-19214 for a Permit to Appropriate Water.
2. On July 31, 2014, Michael D. Damme filed in the Department map number 19008 showing land proposed to be irrigated under application A-19214.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19008 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19214 as depicted on map number 19008 which is made a part of this Order.

<u>Township 7 North, Range 12 East of the 6<sup>th</sup> P.M. in Otoe County</u>	<u>Acres</u>
Section 18: NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.4
SE $\frac{1}{4}$ NW $\frac{1}{4}$	4.5
NW $\frac{1}{4}$ NE $\frac{1}{4}$	37.5
NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.1
SW $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>28.9</u>
TOTAL	141.4

3. Appropriation A-19214 has a priority date of March 25, 2014, and authorizes the appropriator the use of water for irrigation of the 141.4 acres of land described above. The water may be diverted from a tributary to the Little Nemaha River at a point of diversion located on the right bank of the stream in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, Township 7 North, Range 12 East of the 6<sup>th</sup> P.M. in Otoe County, and will be pumped simultaneously into and out of Damme Irrigation Reservoir (storage appropriation A-19215), also in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, Township 7 North, Range 12 East of the 6<sup>th</sup> P.M. in Otoe County as depicted on map number 19008. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.02 cfs (907 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. Appropriation A-19214 is provided supplemental water from storage-use appropriation A-19216.
6. The appropriator is bound by all terms and conditions of the approval of application A-19214.

DEPARTMENT OF NATURAL RESOURCES

July 27, 2015

  
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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, 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 19008 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 19008, and Surface Water Administration brochure were mailed on July 27, 2015, to the following:

Michael D. and Jodi R. Damme  
3966 O Road  
Talmage, Nebraska 68448