

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19211 FOR WATER APPROPRIATION A-19336

WATER DIVISION 1-D

BACKGROUND

On April 27, 2015, Gerald L. and Frances L. Schaben filed in the Department of Natural Resources (Department) application A-19336 for a Permit to Appropriate Water and map number 19211 showing land proposed to be irrigated under application A-19336.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19211 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19336 as depicted on map number 19211 which is made a part of this Order.

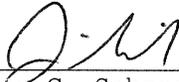
<u>Township 11 North, Range 3 East of the</u>	<u>Acres</u>
<u>6th P.M. in Seward County</u>	
Section 28: NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.1
NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>5.2</u>
TOTAL	7.3

3. Appropriation A-19336 has a priority date of April 27, 2015, and authorizes the appropriator the use of water for irrigation of the 7.3 acres of land described above. The water may be diverted from the Big Blue River at a point of diversion located on the right bank of the stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 11 North, Range 3 East of the 6th P.M. in Seward County, as depicted on map number 19211. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.10 cfs (45 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-19336.

DEPARTMENT OF NATURAL RESOURCES

June 19, 2015



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 19211 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 19211, and Surface Water Administration brochure were mailed on June 19, 2015, to the following:

Gerald L. and Frances L. Schaben
2751 Izaak Walton Road
Seward, Nebraska 68434