

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION CWG-5085 AND MAP 19014  
FOR A PERMIT TO CONDUCT GROUNDWATER

WATER DIVISION 1-D

BACKGROUND

1. On May 28, 2014, Alfred Daubendiek, Jr., filed in the Department of Natural Resources (Department) application CWG-5085 for a permit to conduct water from groundwater well G-152567 into a tributary to Mud Creek and remove a portion of the same water.
2. On August 5, 2014, Alfred Daubendiek, Jr., filed map number 19014 showing the project proposed under application CWG-5085.
3. This application requests the act of conducting groundwater. The Lower Big Blue Natural Resources District (District) was consulted and at their March 26, 2015, board meeting, stated the project meets the District rules.

ORDER

IT IS HEREBY ORDERED that application CWG-5085 and map 19014 are APPROVED subject to the following limitations and conditions:

1. The source of water to be conducted is from groundwater well G-152567 located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34, Township 3 North, Range 7 East of the 6<sup>th</sup> P.M. in Gage County.
2. The groundwater will be released and measured into a tributary to Mud Creek in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34, Township 3 North, Range 7 East of the 6<sup>th</sup> P.M. in Gage County at a rate of **75 gallons per minute** and will be pumped into Daubendiek Reservoir Number 3, approximately 350 feet downstream in the same SE $\frac{1}{4}$ SW $\frac{1}{4}$  of said legal description. The water will then be withdrawn from Daubendiek Reservoir at no more than a rate of **75 gallons per minute**.
3. **Withdrawal from the stream under permit CWG-5085 will end simultaneously** when groundwater ceases to be released into the tributary to Mud Creek.
4. Map number 19014 depicts the location of the groundwater well; location where water is conducted into the stream; the entire stream reach; location of diversion out of the stream; and location of the use of water.

5. The Department retains the right to make adjustments to the amount of loss in transit. Transit loss includes that amount of water lost to seepage in the system used to convey the water to the point of discharge into Daubendiek Reservoir Number 3.
6. A measuring device, approved by the Department, is **required** to be installed to meter the amount of water pumped from groundwater well G-152567 under conduct water permit CWG-5085.
7. A measuring device, approved by the Department, is **required** to be installed to meter the amount of water withdrawn from Daubendiek Reservoir Number 3 for the purpose of irrigation and related to conducting water under conduct water permit CWG-5085.
8. The following is a description of the land proposed to be irrigated with water conducted under CWG-5085 as depicted on map number 19014 and is made a part of this Order:

Township 3 North, Range 7 East of the 6 <sup>th</sup> P.M. in Gage County	Acres
Section 34: NW $\frac{1}{4}$ SW $\frac{1}{4}$	29.3
NE $\frac{1}{4}$ SW $\frac{1}{4}$	34.2
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>3.4</u>
TOTAL	66.9

9. Additional measuring, instrumentation or reporting requirements may be required as needed for the Department to efficiently administer water use in Water Division 1-D.
10. The permit holder is liable for any damages resulting from the activity authorized under this permit.
11. This permit approves the act of conducting water. Use of groundwater being conducted is authorized by the Little Big Blue Natural Resources District.
12. This permit may be cancelled if the permit holder fails to conduct water for more than five consecutive years.
13. Pursuant to Neb. Rev. Stat. § 46-252, the permit holder shall not be exempt from obtaining any other permits required by law.

DEPARTMENT OF NATURAL RESOURCES

April 28, 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 19014 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 19014 were mailed on April 28, 2015, to the following:

Alfred Daubendiek, Jr.  
1805 East Linden Drive  
Beatrice NE, 68310