

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 17516 FOR WATER APPROPRIATION A-18677

WATER DIVISION 2-C

Background

1. On October 8, 2009, Pat Meuret, on behalf of JEM Farms, LLC, filed application A-18677 in the Department of Natural Resources (Department) for a Permit to Appropriate Water.
2. On November 9, 2009, Pat Meuret, on behalf of JEM Farms, LLC, filed map number 17516 showing land proposed to be irrigated under application A-18677.

Order

IT IS HEREBY ORDERED:

1. Map number 17516 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-18677 as depicted on map number 17516 which is made a part of this Order.

Township 31 North, Range 8 West of the 6 th P.M. in Knox County		Acres
Section 23:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	30.6
Section 26:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	29.8
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	35.8
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6.2
Section 34:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33.8
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11.9
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.9
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	2.9
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	37.2
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.3
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.2
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.1
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	6.2
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	34.6
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.0

Township 31 North, Range 8 West of the
 6th P.M. in Knox County Acres

Section 34:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	9.4
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	13.4
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.2
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9.6
	TOTAL	318.5

3. Appropriation A-18677 is held by JEM Farms, LLC and authorizes the use of water for irrigation of the 318.5 acres of land described above. The water may be diverted from North Branch Verdigre Creek at points of diversion on both banks of the stream in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, all in Township 31 North, Range 8 West of the 6th P.M. in Knox County, at a maximum combined rate of 4.55 cubic foot per second (cfs) (2042 gallons per minute) from all points of diversion. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated and an annual volume not to exceed 3 acre-feet per acre irrigated.

Additional Information

Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations. If you are not able to divert sufficient amounts of water, and there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

December 18 , 2009

 /s/
 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 Nebraska Administrative Procedures Act (Sections 84-901 et. seq. RSS) and the Department's Rules of Practice and Procedure (454 N.A.C. Chapter 007). The request must be received by the

Department at its Lincoln office (301 Centennial Mall South, 4th Floor State Office Building, Lincoln, NE 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 17516 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 17516, and Surface Water Administration brochure were mailed on December _____, 2009, to the following:

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