

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 18689 FOR WATER APPROPRIATION A-19143

WATER DIVISION 1-F

BACKGROUND

1. On September 19, 2013, Gary A. Bornemeier filed in the Department of Natural Resources (Department) application A-19143 for a Permit to Appropriate Water.
2. On November 7, 2013, Gary A. Bornemeier filed in the Department map number 18689 showing land proposed to be irrigated under application A-19143.

ORDER

IT IS HEREBY ORDERED:

1. Map number 18689 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19143 as depicted on map number 18689 which is made a part of this Order.

Township 10 North, Range 10 East of the 6 <sup>th</sup> P.M. in Cass County	Acres
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Section 16: NW $\frac{1}{4}$ SE $\frac{1}{4}$	10.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	35.2
SW $\frac{1}{4}$ SE $\frac{1}{4}$	16.5
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>33.0</u>

TOTAL	94.7
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3. Appropriation A-19143 has a priority date of September 19, 2013, and authorizes the appropriator the use of water for irrigation of the 94.7 acres of land described above. The water may be diverted from Stove Creek 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 16, Township 10 North, Range 10 East of the 6<sup>th</sup> P.M. in Cass County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.35 cfs (606 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.

5. The appropriator is bound by all terms and conditions of the approval of application A-19143.

DEPARTMENT OF NATURAL RESOURCES

January 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, 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 18689 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 18689, and Surface Water Administration brochure were mailed on January 10, 2014, to the following:

Gary A. Bornemeier  
29850 Holdrege Street  
Elmwood, Nebraska 68349