

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP NUMBER 20751 FOR APPROPRIATION A-19783

WATER DIVISION 1-C

BACKGROUND

1. Appropriation A-19783 with a priority date of July 26, 2021, authorizes the use of water for irrigation of 108.7 acres of land. The water may be diverted from Big Sandy Creek at points of diversion located in the SW¹/₄NW¹/₄ and the NW¹/₄SW¹/₄ of Section 17, Township 03 North, Range 01 East of the 6th P.M. in Jefferson County.
2. On August 31, 2021, the Department of Natural Resources (Department) approved application A-19783 with the condition that if, during the course of construction of the irrigation project, it is determined there is a difference in the number and/or location of acres from approved project map number 20751, an amended project map may be filed for an equal or lesser number of acres prior to the beneficial use investigation deadline of September 1, 2024.
3. On November 17, 2021, Lucas Bennett, on behalf of Dry Bean LLC, filed in the Department amended map number 20751 showing land proposed to be irrigated under application A-19783 prior to the September 1, 2024, deadline.
4. Amended project map number 20751 is within the original project concept and does not change the number of acres to be irrigated. One point of diversion located in the NW¹/₄SW¹/₄ remains the same; however, the point of diversion in the SW¹/₄NW¹/₄ will not be used under appropriation A-19783.

ORDER

IT IS HEREBY ORDERED that amended map number 20751 depicting land to be irrigated under appropriation A-19783 is APPROVED subject to the following limitations and conditions:

1. Only the land depicted on amended map number 20751 and described below may be irrigated under appropriation A-19783. Water may be diverted from the right bank of Big Sandy Creek at a point of diversion located in the NW¹/₄SW¹/₄ of Section 17, Township 03 North, Range 01 East of the 6th P.M. in Jefferson County as depicted on map number 20751.

Township 03 North, Range 01 East of the 6 th P.M. in Jefferson County	Acres
Section 17: NW ¹ / ₄ SW ¹ / ₄	22.1
NE ¹ / ₄ SW ¹ / ₄	26.1
SW ¹ / ₄ SW ¹ / ₄	27.1
SE ¹ / ₄ SW ¹ / ₄	33.4
TOTAL	108.7

2. All terms and conditions of appropriation A-19783 remain in effect unless specifically changed by this Order.
3. The appropriator must comply with all relevant statutes. The statutes include, but are not limited to, the following:
 - A. Notify the Department of any change in ownership or address.
 - B. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - C. Comply with all relevant notices and orders of the Department.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order 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 in the future you are not able to divert sufficient amounts of water, and if there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES



January 12, 2022

Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20751 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 20751 were mailed on January 12, 2022, to the following:

Lucas Bennett
Dry Bean, LLC
70747 568th Avenue
Fairbury, Nebraska 68352