

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19087 FOR WATER APPROPRIATION A-19302

WATER DIVISION 2-C

BACKGROUND

1. On October 3, 2014, Gerald Schmaderer, on behalf of Eagle Creek Acres, LLC, filed in the Department of Natural Resources (Department) application A-19302 for a Permit to Appropriate Water.
2. On November 26, 2014, Gerald Schmaderer, on behalf of Eagle Creek Acres, LLC, filed in the Department map number 19087 showing the point of diversion and location of the proposed stock pit under application A-19302.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19087 is APPROVED.
2. Appropriation A-19302 authorizes the appropriator the use of water for the purpose of watering livestock. The water may be diverted from a tributary to Eagle Creek at a point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28, Township 32 North, Range 12 West of the 6<sup>th</sup> P.M. in Holt County, at a maximum rate of 0.06 cubic foot per second (approximately 25 gallons per minute).
3. The stock pit is to be located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28, Township 32 North, Range 12 West of the 6<sup>th</sup> P.M. in Holt County.
4. The appropriator is bound by all terms and conditions of the approval of application A-19302.

DEPARTMENT OF NATURAL RESOURCES

December 18, 2014

  
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 19087 were provided to the Department's field office in Ord, Nebraska. Copies of this Order, map number 19087, and Surface Water Administration brochure were mailed on December 18, 2014, to the following:

Gerald J. Schmaderer  
Eagle Creek Acres, LLC  
210 South 7<sup>th</sup> Street  
O'Neill, NE 68763