

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

APPROVAL OF APPLICATION A-20133 AND MAP NUMBER 21780

WATER DIVISION 1-D

BACKGROUND

- 1. On April 3, 2026, Aaron Gruber filed in the Department of Water, Energy, and Environment (Department) application A-20133 for a Permit to Appropriate Water.
- 2. On June 18, 2026, Aaron Gruber filed in the Department map number 21780 showing land proposed to be irrigated under application A-20133.
- 3. Construction has been completed.

ORDER

IT IS HEREBY ORDERED that application A-20133 and map number 21780 are APPROVED subject to the following limitations and conditions:

- 1. **Condition**
If the required **plan of reservoir** for Gruber's Pond is not **filed within six (6) months of the approval signing date of A-20132 and A-20134, storage use appropriation A-20133** will be **CANCELLED**.
- 2. **Authorized Land for Irrigation**
The following land, as shown on map number 21780, which is made a part of this Order, is authorized for irrigated under surface water appropriation A-20133:

Supplemental Irrigation of Land Authorized Under A-19988	Irrigation of Land Storage Use Only
Township 12 North, Range 01 West of the 6 th P.M. in York County Acres	Township 12 North, Range 01 West of the 6 th P.M. in York County Acres
Section 26: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.6	Section 26: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4
	TOTAL 3.0

- 2. **Priority and Diversion Rate**
Appropriation A-20133 has a priority date of **April 3, 2026**. It authorizes the diversion of up to **16 acre-feet annually** from **Gruber's Pond** (storage appropriation A-20132 and supplemental storage appropriation A-20134) from a pump site located in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 12 North, Range 01 West of the 6th P.M. in York County**, as depicted on map number 21780.

3. Limits

This appropriation will be limited to the land irrigated and the amount of water beneficially used on an annual basis. Such amount shall not exceed 16.0 acre-feet per annum.

4. Authorized Land Only

Only the land shown on map number 21780 may be irrigated under this appropriation unless a modification is authorized by subsequent Order of the Department.

5. Amended Map Option

If construction reveals differences in acreage or location, an amended map for an equal or lesser number of acres may be submitted before the beneficial use deadline. The Department must determine that the changes fall within the original project concept and do not adversely impact other appropriators. Approval may be granted by subsequent Order.

6. Measuring Device Requirement

An approved measuring device, approved by the Department and at the Appropriator's expense, is **required**. Contact the Lincoln Field Office **before acquiring a device** to ensure compliance.

7. First Diversion Notification

The appropriator must notify the Lincoln Field Office in writing **within two weeks** of the first water diversion. This notice must be signed and may be delivered via U.S. mail, hand delivery, or email.

8. Ongoing Compliance Requirements

The appropriator must:

- 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).

9. Construction and Use Deadlines

- A. The appropriator must proceed diligently with construction, barring unavoidable natural delay.
- B. Water must be beneficially applied for the purpose stated in this Order by **September 1, 2029**, to perfect the appropriation.

10. Field Investigation

- A. After **September 1, 2029**, a field investigation will be conducted to determine the acres irrigated, after which an Order of cancellation will be issued for any unused portions of appropriation A-20133.

- B. If a portion of the appropriation is found to have had water beneficially applied within the scope of the original project concept, the Department may, at its discretion, modify the project map and land listing to reflect the conditions observed during the field investigation. However, the number of acres and the diversion rate determined by the Department will not exceed the limits granted by this Order. If no portion of the appropriation is found to have had water beneficially applied, the Department will issue an Order of Cancellation in Full for this appropriation.

ADDITIONAL INFORMATION

Failure to comply with applicable laws, Department Orders, or the terms of this Order may result in cancellation, suspension, administrative penalties, and/or criminal prosecution.

Under Nebraska law, **nonuse** of a perfected appropriation for **more than five consecutive years** may result in its cancellation.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



June 30, 2026

Matthew T. Manning, PE, JD
Chief Water Officer

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21780 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 21780 and Surface Water Administration brochure were mailed to the following:

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