STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-2055 FOR WATER APPROPRIATION A-14505A

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14505A is held by David R. and Sandra S. Gideon.

2. Appropriation A-14505A has a priority date of October 12, 1976, and authorizes the use of water for irrigation of the 34.7 acres of land described below. The water may be diverted from a tributary to the North Loup River at a point of diversion located on the left bank of the stream in the SW¼NW¼ of Section 5, Township 20 North, Range 15 West of the 6th P.M. in Valley County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.50 cfs (224 gallons per minute).

Township 20 North, Range 15 West of the 6th P.M. in Valley County		Acres
Section 6:	NW¼NE¼	15.0
	NE¼NE¼	16.0
	SE¼NE¼	3.7
	TOTAL	34.7

3. On March 7, 2011, David R. and Sandra S. Gideon filed application EXT-2055 for a permit for an expedited transfer of the location of use and map number 17798 showing the land proposed to be irrigated under appropriation A-14505A through transfer EXT-2055.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-2055 for a permit for an expedited transfer of the location of use and map number 17798 are APPROVED.

2. Appropriation A-14505A through transfer EXT-2055 authorizes the use of water to irrigate 34.7 acres of land described below and depicted on map number 17798, which is made a part of this Order. The water may be diverted from a tributary to the North Loup River at a point of diversion located on the left bank of the stream in the SE¼NE¼ of Section 6, Township 20 North, Range 15 West of the 6th P.M. in Valley County. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated at a maximum rate of 0.50 cfs (224 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year.

Township 20 North, Range 15 West of the 6th P.M. in Valley County		Acres
Section 6:	NW¼NE¼	14.5
	NE¼NE¼	11.3
	SE¼NE¼	8.9
	TOTAL	34.7

3. All terms and conditions of appropriation A-14505A remain in effect unless specifically changed by this Order.

4. The appropriator must comply with all relevant statutes. This includes, but is 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. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

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 Approval may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an 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.

DEPARTMENT OF NATURAL RESOURCES

May 5, 2011

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 454 Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (4th Floor Nebraska State Office Building, 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 17798 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 17798 were mailed on May 5, 2011, to the following:

David R. and Sandra S. Gideon
82336 Highway 11
Burwell, Nebraska 68823