

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-2265 FOR WATER APPROPRIATION A-2893

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2893 is held by Bradley E. Cromwell.
2. Appropriation A-2893 has a priority date of October 27, 1938, and authorizes the use of water for irrigation of the 159.8 acres of land described below. The water may be diverted from Beaver Creek at points of diversion located on both banks of the stream in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, all in Township 17 North, Range 4 West of the 6th P.M. in Nance County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 245 acres irrigated at a maximum combined rate of 0.65 cfs from all points of diversion (292 gallons per minute).

Township 17 North, Range 4 West of the 6 th P.M. in Nance County		Acres
Section 14:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27.7
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.9
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	35.2
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	25.2
Section 23:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11.6
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	24.8
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.6
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>3.8</u>
	TOTAL	159.8

3. Appropriation A-17723 provides additional water to land approved for irrigation under appropriation A-2893.
4. On January 26, 2012, Bradley E. Cromwell filed in the Department application EXT-2265 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-2893.
5. On February 22, 2012, Bradley E. Cromwell filed map number 18078 showing the land proposed to be irrigated under appropriation A-2893 through transfer EXT-2265.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-2265 for a permit for an expedited transfer of the location of use and map number 18078 are APPROVED.
2. Appropriation A-2893 through transfer EXT-2265 authorizes the use of water to irrigate 159.8 acres of land described below and depicted on map number 18078, which is made a part of this Order. The water may be diverted from Beaver Creek at points of diversion located on both banks of the stream in the SW¹/₄SW¹/₄ of Section 14, and the NE¹/₄NW¹/₄ of Section 23, all in Township 17 North, Range 4 West of the 6th P.M. in Nance County. Water diverted shall not exceed the ratio of one cfs for every 245 acres irrigated at a maximum combined rate of 0.65 cfs from all points of diversion (292 gallons per minute). The total combined volume of all appropriations may not exceed 1.71 acre-feet per irrigated acre per year.

Township 17 North, Range 4 West of the		
6 th P.M. in Nance County		Acres
Section 14:	NW ¹ / ₄ SW ¹ / ₄	24.8
	NE ¹ / ₄ SW ¹ / ₄	35.9
	SW ¹ / ₄ SW ¹ / ₄	33.1
	SE ¹ / ₄ SW ¹ / ₄	25.2
Section 23:	NW ¹ / ₄ NW ¹ / ₄	11.6
	NE ¹ / ₄ NW ¹ / ₄	24.8
	SW ¹ / ₄ NW ¹ / ₄	0.6
	SE ¹ / ₄ NW ¹ / ₄	3.8
	TOTAL	159.8

3. Appropriation A-17723 through transfer EXT-2264 provides additional water to land approved for irrigation under appropriation A-2893 through transfer EXT-2265.
4. All terms and conditions of appropriation A-2893 remain in effect unless specifically changed by this Order.
5. 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

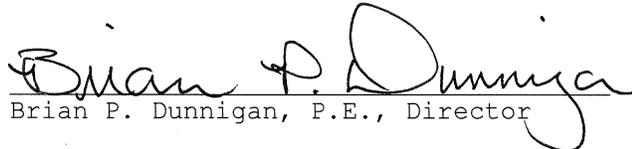
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Approval may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, 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 24, 2012


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, 4th 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 18078 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 18078 were mailed on May 24, 2012, to the following:

Bradley E. Cromwell
P.O. Box 73
Genoa, NE 68640