

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART AND

APPROVAL OF EXPEDITED TRANSFER EXT-4809 FOR WATER APPROPRIATION A-2263ER

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2263ER is held by Douglas G. and Kathy M. Pollard.
2. Appropriation A-2263ER has a priority date of March 18, 1932, and authorizes the use of water for irrigation of the 48.1 acres of land described below. The water may be diverted from the North Loup River at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 22 North, Range 20 West of the 6th P.M. in Loup County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.69 cfs.

Township 22 North, Range 20 West of the 6 th P.M. in Loup County		Acres
Section 24:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	14.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>14.1</u>
	TOTAL	48.1

3. On August 23, 2013, Douglas G. and Kathy M. Pollard filed application EXT-4809 for a permit for an expedited transfer of the location of use for 43.6 of the 48.1 acres under surface water appropriation A-2263ER and map number 18596 showing the land proposed to be irrigated under appropriation A-2263ER through transfer EXT-4809.
4. On August 23, 2013, Douglas G. and Kathy M. Pollard filed REL-4810 relinquishing a portion of the water under appropriation A-2263ER, for use on the land described below.

Township 22 North, Range 20 West of the 6 th P.M. in Loup County		Acres
Section 24:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.5

ORDER

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-2263ER at the rate of 0.06 cfs is CANCELLED for use on the land described below.

Township 22 North, Range 20 West of the
6th P.M. in Loup County Acres

Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.5

2. Application EXT-4809 for a permit for an expedited transfer of the location of use and map number 18596 are APPROVED.
3. Appropriation A-2263ER through transfer EXT-4809 authorizes the use of water to irrigate 43.6 acres of land described below and depicted on map number 18596, which is made a part of this Order. The water may be diverted from the North Loup River at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 22 North, Range 20 West of the 6th P.M. in Loup County. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.63 cfs (283 gallons per minute). The total combined volume of all appropriations may not exceed 3 acre-feet per irrigated acre per year.

Township 22 North, Range 20 West of the
6th P.M. in Loup County Acres

Section 24	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.4
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.1
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.6
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>16.5</u>
	TOTAL	43.6

4. All terms and conditions of appropriation A-2263 AND A-2263R 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

April 29, 2014


Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 18596 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 18596 were mailed on April 29, 2014, to the following:

Douglas G. and Kathy M. Pollard
44323 Liberty Road
Taylor, Nebraska 68879