STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF NON-EXPEDITED TRANSFER NEX-5077 AND

MAP NUMBER 19110 FOR WATER APPROPRIATION A-15917

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15917 is held by the Donald and Alice Radenz Trust.

2. Appropriation A-15917 has a priority date of July 7, 1981, and authorizes the use of water for irrigation of the 64.0 acres of land described below. The water may be diverted from the Elkhorn River at a point of diversion located on the right bank of the stream in the NE¼SE¼ of Section 1, Township 23 North, Range 1 West of the 6th P.M. in Madison 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 0.91 cfs.

Township 23 North, Range 1 West of the 6th P.M. in Madison County		Acres
Section 1:	SW¼SE¼	24.0
	SE¼SE¼	40.0
	TOTAL	64.0

3. On May 21, 2014, Donald and Alice Radenz, on behalf of the Donald and Alice Radenz Trust, filed application NEX-5077 for a permit for a non-expedited transfer of the location of use under appropriation A-15917.

4. On November 26, 2014, Donald Radenz, on behalf of the Donald and Alice Radenz Trust, filed map number 19110 showing the land proposed to be irrigated under appropriation A-15917 through transfer NEX-5077.

ORDER

IT IS HEREBY ORDERED:

1. Application NEX-5077 for a permit for a non-expedited transfer of the location of use and map number 19110 are APPROVED.

2. Appropriation A-15917 authorizes the use of water to irrigate 64.0 acres of land described below and depicted on map number 19110, which is made a part of this Order. The water may be diverted from the Elkhorn River at a point of diversion located on the right bank of the stream in the NE¼SE¼ of Section 1, Township 23 North, Range 1 West of the 6th P.M. in Madison County, as depicted on map number 19110. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.91 cfs (408 gallons per minute). The total volume may not exceed three acre-feet per irrigated acre per year.

Township 23 North, Range 1 East of the 6th P.M. in Stanton County		Acres
Section 7:	SW¼NW¼	0.4
	NW¼SW¼	32.3
	NE¼SW¼	11.6
	SW¼SW¼	17.6
	SE¼SW¼	2.1
	TOTAL	64.0

3. All terms and conditions of appropriation A-15917 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

January 16, 2015

James C. Schneider, Ph.D.
Acting Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 19110 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 19110 were mailed on January 16, 2015, to the following:

Donald & Alice Radenz Trust
1903 East Sherwood Road
Norfolk, NE 68701

Scott Radenz
4206 South Grandview Road
Norfolk, NE 68701