

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION RLP-1681, EXPEDITED TRANSFER EXT-1702 AND

CANCELLATION IN PART FOR WATER APPROPRIATION A-11009R

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show surface water appropriation A-11009R is held by R. Wynn Hipke, Lloyd Z. Hipke, Roy E. Hipke, Keith Hipke and Marian G. Caffee (Hipke et al).
2. Appropriation A-11009R has a priority date of January 10, 1967, and authorizes the use of water for irrigation of the 184.9 acres of land described below. The water may be diverted from Big Sandy Creek at a point of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 33 North, Range 14 West of the 6th P.M. in Holt 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 2.64 cfs (1185 gallons per minute).

<u>Township 33 North, Range 14 West of the</u>		
<u>6th P.M. in Holt County</u>		<u>Acres</u>
Section 29:	SW $\frac{1}{4}$ NW $\frac{1}{4}$	27.2
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	37.5
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.0
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.2
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	13.5
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>0.5</u>
	TOTAL	184.9

3. On June 4, 2009, Lloyd Z. Hipke, on behalf of Hipke et al, filed petition RLP-1681 in the Department for a permit to add a point of diversion located on the right bank of Big Sandy Creek in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 33 North, Range 14 West of the 6th P.M. in Holt County for appropriation A-11009R.

4. On July 13, 2009, Lloyd Z. Hipke, on behalf of Hipke et al, filed EXT-1702 for 136.4 acres of the 184.9 acres described above; REL-1703 for a partial relinquishment of the remaining 48.5 acres of land authorized for irrigation under appropriation A-11009R; and map number 17421 showing the proposed additional pump site and the land proposed to be irrigated under appropriation A-11009R through transfer EXT-1702.

Order

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-11009R at the rate of 0.69 cfs is CANCELLED for use on the land described below.

<u>Township 33 North, Range 14 West of the</u>		<u>6th P.M. in Holt County</u>	<u>Acres</u>
Section 29:	SE $\frac{1}{4}$ NW $\frac{1}{4}$		17.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$		9.0
	NW $\frac{1}{4}$ SW $\frac{1}{4}$		2.2
	NE $\frac{1}{4}$ SW $\frac{1}{4}$		5.8
	NW $\frac{1}{4}$ SE $\frac{1}{4}$		14.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$		<u>0.5</u>
	TOTAL		48.5

2. Petition RLP-1681 for a permit to add a point of diversion, application EXT-1702 for a permit for an expedited transfer of the location of use of land under appropriation A-11009R and map number 17421 are APPROVED.
3. Appropriation A-11009R through transfer EXT-1702 authorizes the use of water to irrigate the 136.4 acres of land described below and depicted on map number 17421, which is made a part of this Order. The water may be diverted from Big Sandy Creek at points of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, both in Township 33 North, Range 14 West of the 6th P.M. in Holt County. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated at a maximum combined rate of 1.95 cfs from all points of diversion (875 gallons per minute). The total combined volume may not exceed 3 acre-feet per irrigated acre per year.

<u>Township 33 North, Range 14 West of the</u>		<u>6th P.M. in Holt County</u>	<u>Acres</u>
Section 29:	NW $\frac{1}{4}$ SW $\frac{1}{4}$		34.0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$		34.2
	SW $\frac{1}{4}$ SW $\frac{1}{4}$		34.2
	SE $\frac{1}{4}$ SW $\frac{1}{4}$		<u>34.0</u>
	TOTAL		136.4

Department at its Lincoln office (301 Centennial Mall South, 4th Floor State Office Building, 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 17421 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 17421 were mailed on August _____, 2009, to the following:

R. Wynn Hipke
89450 469th Avenue
Stuart, NE 68780

Keith Hipke
89429 472nd Avenue
Stuart, NE 68780

Lloyd Z. Hipke
47121 894th Road
Stuart, NE 68780

Marian G. Caffee
40625 257th Street
Mitchell, SD 57301

Roy E. Hipke
46957 894th Road
Stuart, NE 68780