STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-2125 FOR WATER APPROPRIATION A-11158

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-11158 is held by Jerome L. and Virginia L. Gokie.

2. Appropriation A-11158 has a priority date of June 1, 1967, and authorizes the use of water for irrigation of the 115.2 acres of land described below. The water may be diverted from a Tributary to Redbird Creek at points of diversion located on the right bank of the stream in the SE¼NW¼ and the left bank in the NW¼SW¼ and NE¼SW¼ of Section 5, Township 31 North, Range 10 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 combined rate of 1.64 cfs from all points of diversion (736 gallons per minute).

Township 31 North, Range 10 West of the 6th P.M. in Holt County		Acres
Section 5:	SW¼NW¼	18.7
	SE¼NW¼	19.4
	NW¼SW¼	16.6
	NE¼SW¼	5.0
	SW¼SW¼	12.7
	SE¼SW¼	30.8
	SW¼SE¼	12.0
	TOTAL	115.2

3. The land appurtenant to natural flow appropriation A-11158 has supplemental irrigation provided by appropriation A-10114.

4. On June 6, 2011, Jerome L. Gokie filed application EXT-2125 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-11158.

5. On June 20, 2011, Jerome L. Gokie filed map number 17881 showing the two active locations of diversion and land proposed to be irrigated under appropriation A-11158 through transfer EXT-2125.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-2125 for a permit for an expedited transfer of the location of use and map number 17881 are APPROVED.

2. Appropriation A-11158 through transfer EXT-2125 authorizes the use of water to irrigate 115.2 acres of land described below and depicted on map number 17881, which is made a part of this Order. The water may be diverted from Tributary to Redbird Creek at points of diversion located on the left bank of the stream in the NW¼SW¼ and NE¼SW¼ of Section 5, Township 31 North, Range 10 West of the 6th P.M. in Holt County. The rate that water may be diverted shall not exceed one cfs for every 115.2 acres irrigated at a maximum combined rate of 1.64 cfs from all points of diversion (736 gallons per minute). The total combined volume of all appropriations may not exceed 3 acre-feet per irrigated acre per year.

Township 31 North, Range 10 West of the 6th P.M. in Holt County		Acres
Section 5:	NW¼SW¼	2.6
	NE¼SW¼	5.9
	SW¼SW¼	14.5
	SE¼SW¼	26.2
Section 7:	NW¼NE¼	33.1
	NE¼NE¼	32.9
	TOTAL	115.2

3. The land appurtenant to natural flow appropriation A-11158 through transfer EXT-2125 has supplemental irrigation provided by appropriation A-10114 through transfer EXT-2124.

4. All terms and conditions of appropriation A-11158 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

July 22, 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 17881 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 17881 were mailed on July 22, 2011, to the following:

Jerome L. and Virginia L. Gokie
202 East Douglas
O'Neill, Nebraska 68763