

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9541 FOR WATER APPROPRIATION A-3895

AND MAP NUMBER 20910

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-3895 is held by Harold McKeon.
2. Appropriation A-3895 has a priority date of April 20, 1946, and authorizes the use of water for irrigation of the 111.9 acres of land described below. The water may be diverted from Mud (Beaver) Creek at points of diversion located on both banks of the stream in the NE¼ of Section 03, Township 12 North, Range 15 West of the 6th P.M. in Buffalo County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 125 acres irrigated at a maximum combined rate of 0.90 cfs from all points of diversion.

Township 12 North, Range 15 West of the 6 th P.M. in Buffalo County	Acres
Section 03: NW¼NE¼	19.1
NE¼NE¼	30.9
SW¼NE¼	26.4
SE¼NE¼	18.1
NW¼SE¼	1.6
NE¼SE¼	15.8
TOTAL	111.9

3. On January 19, 2022, Harold McKeon filed application EXT-9541 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-3895. Through EXT-9541, the appropriator requests the total number of acres irrigated be reduced from 111.9 to 63.0 and the grant be increased from one cfs for each 125 acres to one cfs for each 70 acres.
4. On March 17, 2022, Harold McKeon filed map number 20910 showing the land proposed to be irrigated under appropriation A-3895 through transfer EXT-9541.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9541 for a permit for an expedited transfer of the location of use and map number 20910 are APPROVED.

2. Appropriation A-3895 through transfer EXT-9541 authorizes the use of water to irrigate 63.0 acres of land described below and depicted on map number 20910, which is made a part of this Order. The water may be diverted from Mud (Beaver) Creek at points of diversion located on both banks of the stream in the NW¹/₄NE¹/₄ and the SE¹/₄NE¹/₄ of Section 03, Township 12 North, Range 15 West of the 6th P.M. in Buffalo County, as depicted on map number 20910. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum combined rate of 0.90 cfs from all points of diversion (404 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year nor to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

Township 12 North, Range 15 West of the 6 th P.M. in Buffalo County		Acres
Section 03:	NW ¹ / ₄ NE ¹ / ₄	2.6
	NE ¹ / ₄ NE ¹ / ₄	15.0
	SW ¹ / ₄ NE ¹ / ₄	5.8
	SE ¹ / ₄ NE ¹ / ₄	25.4
	NE ¹ / ₄ SE ¹ / ₄	<u>14.2</u>
	TOTAL	63.0

3. All terms and conditions of appropriation A-3895 remain in effect unless specifically changed by this Order.
4. A measuring device, approved by the Department, may be required if so ordered by the Department.
5. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are 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 Order 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 a portion or all of a perfected 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



Thomas E. Riley, P.E., Director

April 7, 2022

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20910 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20910 were mailed to the following:

Harold McKeon
35975 385th Road
Hazard, Nebraska 68844