

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9589 FOR WATER APPROPRIATION A-3200A

AND MAP NUMBER 20922

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-3200A is held by Jerry L. and Rita J. Rosentreader.
2. Appropriation A-3200A has a priority date of July 15, 1940, and authorizes the use of water for irrigation of the 23.5 acres of land described below. The water may be diverted from Mud (Beaver) Creek at a point of diversion located on the west bank of the stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 15 North, Range 17 West of the 6th P.M. in Custer County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 120 acres irrigated at a maximum rate of 0.19 cfs.

Township 15 North, Range 17 West of the 6 th P.M. in Custer County	Acres
Section 32: NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.3
SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>12.2</u>
TOTAL	23.5

3. On February 25, 2022, Jerry L. Rosentreader filed application EXT-9589 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-3200A.
4. On April 18, 2022, Jerry L. Rosentreader filed map number 20922 showing the land proposed to be irrigated under appropriation A-3200A through transfer EXT-9589.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9589 for a permit for an expedited transfer of the location of use and map number 20922 are APPROVED.

2. Appropriation A-3200A through transfer EXT-9589 authorizes the use of water to irrigate 23.5 acres of land described below and depicted on map number 20922, which is made a part of this Order. The water may be diverted from Mud (Beaver) Creek at a point of diversion located on the right bank of the stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 15 North, Range 17 West of the 6th P.M. in Custer County, as depicted on map number 20922. Water diverted shall not exceed the ratio of one cfs for every 120 acres irrigated at a maximum rate of 0.19 cfs (85 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 15 North, Range 17 West of the 6 th P.M. in Custer County		Acres
Section 32:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	12.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>11.5</u>
	TOTAL	23.5

3. All terms and conditions of previous order for appropriation A-3200 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

May 3, 2022

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20922 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20922 were mailed to the following:

Jerry L. and Rita J. Rosentreader
475 Green Street
Mason City, Nebraska 68855