

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-19840 AND MAP NUMBER 20970

WATER DIVISION 2-C

BACKGROUND

1. On April 11, 2022, Vernon R. and Pamela Hitchcock filed in the Department of Natural Resources (Department) application A-19840 for a Permit to Appropriate Water.
2. On May 19, 2022, Vernon R. and Pamela Hitchcock filed map number 20970 showing land proposed to be irrigated under application A-19840.
3. Application A-19840 will utilize water stored under supplemental storage application A-19839 for irrigation of the same 108.7 acres of land already approved under irrigation appropriation A-9994. There will be no expansion of irrigated acres with the approval of A-19840.
4. Construction has been completed.

ORDER

IT IS HEREBY ORDERED that application A-19840 and map number 20970 are APPROVED subject to the following limitations and conditions:

1. The following is a description of all the land which is authorized to be irrigated (appurtenant land) under surface water appropriation A-19840 as depicted on map number 20970:

<u>Township 35 North, Range 17 West of the</u>	
<u>6th P.M. in Keya Paha County</u>	<u>Acres</u>
Section 28: SW ¹ / ₄ SW ¹ / ₄	2.7
Section 33: NW ¹ / ₄ NW ¹ / ₄	36.0
NE ¹ / ₄ NW ¹ / ₄	6.4
SW ¹ / ₄ NW ¹ / ₄	10.8
SE ¹ / ₄ NW ¹ / ₄	11.7
NW ¹ / ₄ SW ¹ / ₄	8.8
NE ¹ / ₄ SW ¹ / ₄	31.7
SE ¹ / ₄ SW ¹ / ₄	<u>0.6</u>
TOTAL	108.7

2. Appropriation A-19840 has a priority date of April 11, 2022, and authorizes the appropriator the use of 58.5 acre-feet annually from Hitchcock Reservoir (supplemental storage appropriation A-19839) from a pump site located in the SE¹/₄NW¹/₄ of Section 33, Township 35 North, Range 17 West of the 6th P.M. in Keya Paha County, as depicted on map number 20970 to divert water for irrigation from this reservoir.

3. Only the land shown on map number 20970 may be irrigated under appropriation A-19840.
4. This appropriation will be limited to the land irrigated and the amount of water beneficially used on an annual basis. Such amount shall not exceed 58.5 acre-feet per annum.
5. Appropriation A-19840 provides supplemental water to irrigate land under appropriation A-9994 held by Vernon R. and Pamela Hitchcock. The total amount of water under these permits will be limited to the amount of water beneficially used and will not exceed 108.7 acre-feet per annum for all storage use appropriations.
6. A measuring device, approved by the Department, may be required if so ordered by the Department.
7. The appropriator must comply with all relevant statutes. The statutes 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).
8. The appropriator must comply with the following deadlines:
 - A. The appropriation is not considered perfected until water has been beneficially applied for the purpose stated in this Order. The water appropriated under A-19840 must be beneficially used by September 1, 2024.
 - B. After September 1, 2024, a field investigation will be conducted to determine the acres irrigated, after which an order of cancellation will be issued for any unused portions of appropriation A-19840.

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 result in the cancellation of the 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.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

June 10, 2022

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20970 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20970 were mailed to the following:

Vernon R. and Pamela Hitchcock
45828 Spotted Tail Road
Newport, Nebraska 68759