

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9893 FOR WATER APPROPRIATION A-2271

AND MAP NUMBER 21186

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2271 is held by South Loup Valley Ash Creek Ranch, Inc.
2. Appropriation A-2271 has a priority date of May 17, 1932, and authorizes the use of water for irrigation of the 207.0 acres of land described below. The water may be diverted from the South Loup River at a point of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 14 North, Range 20 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 75 acres irrigated at a maximum rate of 2.75 cfs, nor exceed 2.99 acre-feet per acre annually.

Township 14 North, Range 20 West of the 6 th P.M. in Custer County	Acres
Section 07: NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	17.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$	18.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
Section 08: NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
Section 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$	14.0
NE $\frac{1}{4}$ NW $\frac{1}{4}$	22.0
Section 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$	4.0
TOTAL	207.0

3. On March 10, 2023, Gregg A. Jones, on behalf of South Loup Valley Ash Creek Ranch, Inc., filed application EXT-9893 for a permit for an expedited transfer of the location of use and to add a point of diversion for land authorized to be irrigated by appropriation A-2271.
4. On October 2, 2023, Gregg A. Jones filed map number 21186 showing the land proposed to be irrigated under appropriation A-2271 through transfer EXT-9893.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9893 for a permit for an expedited transfer of the location of use and map number 21186 are APPROVED.
2. Appropriation A-2271 through EXT-9893 is now A-2271R.
3. Appropriation A-2271R through EXT-9893 authorizes the use of water to irrigate 207.0 acres of land described below and depicted on map number 21186, which is made a part of this Order. The water may be diverted from the South Loup River at points of diversion located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 07, all in Township 14 North, Range 20 West of the 6th P.M. in Custer County, as depicted on map number 21186. Water diverted shall not exceed the ratio of one cfs for every 75 acres irrigated at a maximum rate of 2.75 cfs (1,234 gallons per minute). The total volume may not exceed 2.99 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.

<u>Township 14 North, Range 20 West of the</u>		
<u>6th P.M. in Custer County</u>		<u>Acres</u>
Section 07:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.1
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.8
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	20.1
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	18.1
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	38.5
Section 08:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.5
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.2
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.2
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.9
Section 17:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	13.8
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	21.2
Section 18:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>3.1</u>
	TOTAL	207.0

4. All terms and conditions of appropriation A-2271 remain in effect unless specifically changed by this Order.
5. A measuring device, approved by the Department, may be required if so ordered by the Department.

6. 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

November 27, 2023

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21186 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21186 were mailed to the following:

South Loup Valley Ash Creek Ranch, Inc
James E. Jones
43910 Drive 783
Eddyville, NE 68834