

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-10096 FOR WATER APPROPRIATION A-13315

AND MAP NUMBER 21343

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13315 is held by Scot Thompson Farms, LLC and Scot Thompson Farms 1, LLC.
2. Appropriation A-13315 has a priority date of December 16, 1964, and authorizes the use of water for irrigation of the 190.0 acres of land described below. The water may be diverted from Bell Creek at a point of diversion located on the left bank of the stream in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 35, Township 20 North, Range 09 East of the 6th P.M. in Washington County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.71 cfs.

<u>Township 20 North, Range 09 East of the</u>	<u>6th P.M. in Washington County</u>	<u>Acres</u>
Section 35:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
Section 36:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>40.0</u>
	TOTAL	190.0

3. On December 11, 2023, Scot Thompson, on behalf of Scot Thompson Farms, LLC and Scot Thompson Farms 1, LLC, filed application EXT-10096 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-13315.
4. On December 13, 2023, Scot Thompson filed map number 21343 showing the land proposed to be irrigated under appropriation A-13315 through transfer EXT-10096.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-10096 for a permit for an expedited transfer of the location of use and map number 21343 are APPROVED.

2. Appropriation A-13315 through transfer EXT-10096 authorizes the use of water to irrigate 190.0 acres of land described below and depicted on map number 21343, which is made a part of this Order. The water may be diverted from Bell Creek at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 20 North, Range 09 East of the 6th P.M. in Washington County, as depicted on map number 21343. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 2.71 cfs (1,216 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 20 North, Range 09 East of the 6 th P.M. in Washington County		Acres
Section 35:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0
Section 36:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.4
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	34.7
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	39.9
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	37.9
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	3.2
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.8
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>2.3</u>
	TOTAL	190.0

3. All terms and conditions of appropriation A-13315 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

January 30, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21343 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 21343 were mailed to the following:

Scot Thompson
Scot Thompson Farms, LLC
9102 North 225th Street
Elkhorn, Nebraska 68022

Scot Thompson
Scot Thompson Farms 1, LLC
9102 North 225th Street
Elkhorn, Nebraska 68022