

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART,

APPROVAL OF EXPEDITED TRANSFER EXT-10064 AND MAP NUMBER 21347

FOR WATER APPROPRIATION A-13510

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13510 is held by Stanley O. and Jenny M. Roebke.
2. Appropriation A-13510 has a priority date of March 28, 1975, and authorizes the use of water for irrigation of the 63.2 acres of land described below. The water may be diverted from Lincoln Creek at points of diversion located on both banks of the stream in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 03, Township 11 North, Range 02 East of the 6th P.M. in Seward County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 0.90 cfs from all points of diversion. The total annual volume may not exceed three acre-feet per acre of land on which water is actually and beneficially applied.

Township 11 North, Range 02 East of the 6 th P.M. in Seward County	Acres
Section 03: NW $\frac{1}{4}$ SE $\frac{1}{4}$	8.4
SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.7
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>37.1</u>
TOTAL	63.2

3. On January 17, 2024, Stanley O. Roebke filed application EXT-10064 for a permit for an expedited transfer of the location of use and map number 21347 showing the land proposed to be irrigated under appropriation A-13510 through transfer EXT-10064.
4. On January 17, 2024, Stanley O. and Jenny M. Roebke filed REL-10065 relinquishing a portion of the grant under appropriation A-13510 in the amount of 0.17 cfs.

ORDER

IT IS HEREBY ORDERED:

1. Part of the grant for surface water appropriation A-13510 at the rate of 0.17 cfs is CANCELLED.

2. Application EXT-10064 for a permit for an expedited transfer of the location of use and map number 21347 are APPROVED.
3. Appropriation A-13510 through transfer EXT-10064 authorizes the use of water to irrigate 63.2 acres of land described below and depicted on map number 21347, which is made a part of this Order. The water may be diverted from Lincoln Creek at a point of diversion located on the left bank of the stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 03, Township 11 North, Range 02 East of the 6th P.M. in Seward County, as depicted on map number 21347. Water diverted shall not exceed the ratio of one cfs for every 86 acres irrigated at a maximum rate of 0.73 cfs (328 gallons per minute). The total combined volume of all appropriations may not exceed three 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 11 North, Range 02 East of the</u>	
<u>6th P.M. in Seward County</u>	
	<u>Acres</u>
Section 03: NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	27.7
SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.2
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>32.3</u>
TOTAL	63.2

4. Appropriation A-6043 through transfer NEX-10062 provides additional water to land approved for irrigation under appropriation A-13510 through transfer EXT-10064.
5. All terms and conditions of appropriation A-13510 remain in effect unless specifically changed by this Order.
6. This appropriation is subject to the provisions of the Blue River Compact and could be closed if Compact flows are not being met.
7. 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 an 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

March 18, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21347 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 21347 were mailed to the following:

Stanley O. and Jenny M. Roebke
200 Struthers Place
Seward, Nebraska 68434