

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION RLP-10092 AND MAP 21325 TO ADD A LOCATION OF
DIVERSION FOR WATER APPROPRIATION A-15240

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15240 is held by Elting 1950.
2. Appropriation A-15240 has a priority date of April 20, 1978, and authorizes the use of water for irrigation of 110.0 acres of land. The water may be diverted from Elk Creek at a point of diversion located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 03 North, Range 06 West of the 6th P.M. in Nuckolls 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 1.57 cfs.
3. On January 19, 2024, Carl Elting, on behalf of Elting 1950, filed petition RLP-10092 in the Department for a permit to add a location of diversion for appropriation A-15240.
4. On January 23, 2024, Carl Elting filed map number 21325 in the Department showing the location of the proposed pump site and the land to be irrigated under appropriation A-15240 through petition RLP-10092.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-10092 for a permit to add a location of diversion for appropriation A-15240 and map number 21325 are APPROVED.
2. Appropriation A-15240 through petition RLP-10092 is now A-15240R.
3. Appropriation A-15240R shall be shown in the Department's records authorizing the use of water to irrigate 110 acres of land described below and depicted on map number 21325, which is made a part of this Order. The water may be diverted from Elk Creek at points of diversion located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 07, Township 03 North, Range 05 West and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 03 North, Range 06 West of the 6th P.M. in

Nuckolls, as depicted on map number 21325. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum combined rate of 1.57 cfs (705 gallons per minute) from all points of diversion. The total combined volume of all appropriations may not exceed three acre-feet per irrigated acre per year.

<u>Township 03 North, Range 06 West of the</u>	<u>Acres</u>
<u>6th P.M. in Nuckolls County</u>	
Section 11: NW ¹ / ₄ SE ¹ / ₄	22.9
NE ¹ / ₄ SE ¹ / ₄	37.1
SW ¹ / ₄ SE ¹ / ₄	13.3
SE ¹ / ₄ SE ¹ / ₄	<u>36.7</u>
TOTAL	110.0

4. All terms and conditions of previous orders for appropriation A-15240 remain in effect unless specifically changed by this Order.
5. The appropriator must comply with all relevant statutes. This includes, but is 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 4, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21325 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 21325 were mailed to the following:

Carl Elting
Elting 1950
4383 Road W
Edgar, Nebraska 68935