

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-10066 FOR WATER APPROPRIATION A-5701

AND MAP NUMBER 21348

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-5701 is held by Stanley O. and Jenny M. Roebke.
2. Appropriation A-5701 has a priority date of November 3, 1953, and authorizes the use of water for irrigation of the 102.0 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 NE¼ of Section 10, 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 140 acres irrigated at a maximum combined rate of 0.73 cfs from all points of diversion. 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 6th P.M. in Seward County</u>	<u>Acres</u>
Section 10: NW¼NE¼	26.0
NE¼NE¼	33.0
SW¼NE¼	22.0
SE¼NE¼	<u>21.0</u>
TOTAL	102.0

3. Appropriation A-15424 provides additional water to land approved for irrigation under appropriation A-5701.
4. On January 17, 2024, Stanley O. Roebke filed application EXT-10066 for a permit for an expedited transfer of the location of use and map number 21348 showing the land proposed to be irrigated under appropriation A-5701 through transfer EXT-10066.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-10066 for a permit for an expedited transfer of the location of use and map number 21348 are APPROVED.

2. Appropriation A-5701 through transfer EXT-10066 authorizes the use of water to irrigate 102.0 acres of land described below and depicted on map number 21348, which is made a part of this Order. The water may be diverted from Lincoln Creek at points of diversion located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 11 North, Range 02 East of the 6th P.M. in Seward County, as depicted on map number 21348. Water diverted shall not exceed the ratio of one cfs for every 140 acres irrigated at a maximum combined rate of 0.73 cfs from all points of diversion (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.

Township 11 North, Range 02 East of the 6 th P.M. in Seward County		Acres
Section 10:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	18.1
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	26.1
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	27.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>30.0</u>
TOTAL		102.0

3. Appropriation A-15424 through transfer EXT-10067 provides additional water to land approved for irrigation under appropriation A-5701 through transfer EXT-10066.
4. All terms and conditions of previous orders for appropriation A-5701 remain in effect unless specifically changed by this Order.
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

March 18, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21348 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 21438 were mailed to the following:

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