

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART,

APPROVAL OF EXPEDITED TRANSFER EXT-10006 AND MAP NUMBER 21351

FOR WATER APPROPRIATION A-17750A

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-17750A is held by Kevin J. and Cary J. Cromwell.
2. Appropriation A-17750A has a priority date of March 15, 1999, and authorizes the use of water for irrigation of the 60.7 acres of land described below. The water may be diverted from the Loup River at the Headgate of the Columbus Genoa Canal headgate located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance 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 0.87 cfs.

Township 17 North, Range 04 West of the 6 th P.M. in Nance County		Acres
Section 13:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.4
Section 24:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	3.1
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.7
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.3
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.9
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.4
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	3.9
	Total	60.7

3. On March 28, 2024, Kevin Cromwell filed application EXT-10006 for a permit for an expedited transfer of the location of use for a portion of land authorized to be irrigated by appropriation A-17750A.

4. On March 28, 2024, Kevin Cromwell filed relinquishment REL-10016, relinquishing the right to divert water under a portion of appropriation A-17750A to irrigate the 7.1 acres of land described below.

Township 17 North, Range 04 West of the 6 th P.M. in Nance County		Acres
Section 13:	SW ¹ / ₄ SW ¹ / ₄	4.0
	SE ¹ / ₄ SW ¹ / ₄	2.4
Section 24:	NW ¹ / ₄ NW ¹ / ₄	<u>0.7</u>
	Total	7.1

5. On May 16, 2024, Kevin Cromwell filed map number 21351 showing the land proposed to be irrigated under appropriation A-17750A through transfer EXT-10006.

ORDER

IT IS HEREBY ORDERED:

- Part of appropriation A-17750A at the rate of 0.1 cfs for use upon the 7.1 acres of land described above is CANCELLED.
- Appropriation A-17750A through transfer EXT-10006 authorizes the use of water to irrigate 53.6 acres of land described below and depicted on map number 21351, which is made a part of this Order. The water may be diverted from the Loup River at the Headgate of the Columbus Genoa Canal located in the NE¹/₄NW¹/₄ of Section 06, Township 16 North and withdrawn from a point of diversion located in the NE¹/₄SW¹/₄ of Section 13, Township 17 North, all in Range 04 West of the 6th P.M. in Nance County, as depicted on map number 21351. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.77 cfs (346 gallons per minute). The total volume 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 17 North, Range 04 West of the 6 th P.M. in Nance County		Acres
Section 13:	SE ¹ / ₄ SW ¹ / ₄	2.5
Section 24:	NW ¹ / ₄ NW ¹ / ₄	2.4
	NE ¹ / ₄ NW ¹ / ₄	17.8
	NW ¹ / ₄ NE ¹ / ₄	15.3
	NE ¹ / ₄ NE ¹ / ₄	6.4
	SW ¹ / ₄ NE ¹ / ₄	5.5
	SE ¹ / ₄ NE ¹ / ₄	<u>3.7</u>
	Total	53.6

- All terms and conditions of previous orders for appropriation A-17750 remain in effect unless specifically changed by this Order.

4. 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 and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the 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. If you are not able to divert sufficient amounts of water, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

June 5, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21351 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21351 were mailed to the following:

Kevin J. and Cary J. Cromwell
PO Box 643
Genoa, Nebraska 68640