

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF AMENDED PROJECT MAP NUMBER 21455 FOR APPROPRIATION A-19802

WATER DIVISION 2-F

BACKGROUND

- 1. Records on file with the Department of Natural Resources (Department) show that surface water appropriation A-19802 is held by Mathias G. and Jolene H. Weinandt.
- 2. Appropriation A-19802 has a priority date of January 14, 2022, and authorizes the use of water for irrigation of the 156.8 acres of land described below. The water may be diverted from Bow Creek at a point of diversion located on the right bank of the stream in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 11, Township 32 North, Range 02 East of the 6<sup>th</sup> P.M. in Cedar County as depicted on map number 20897. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.24 cfs.

<u>Township 32 North, Range 02 East of the 6<sup>th</sup> P.M. in Cedar County</u>	<u>Acres</u>
Section 11: SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	11.1
NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	16.1
Section 12: SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	37.2
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	12.8
NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	21.4
NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	14.6
SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	28.1
SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	<u>15.5</u>
TOTAL	156.8

- 3. Conditions in the Order of approval for appropriation A-19802 provided that if, during the course of construction of the irrigation project, it is determined that there is a difference in the number and/or location of acres from the approved map, an amended project map may be filed for an equal or lesser number of acres prior to the beneficial use investigation deadline.
- 4. On August 1, 2024, Matthew Weinandt timely filed amended project map number 21455 depicting a change in the location and number of irrigated acres. The change from the original map remains within the original project concept and does not violate any rules and/or statutes and will not harm another appropriator.

ORDER

IT IS HEREBY ORDERED that project map number 20897 is cancelled and and amended project map number 21455 for appropriation A-19802 is APPROVED subject to the following limitations and conditions:

1. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19802 as depicted on map number 21455, which is made a part of this Order. The water may be diverted from Bow Creek at a point of diversion located on the right bank of the stream in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 11, Township 32 North, Range 02 East of the 6<sup>th</sup> P.M. in Cedar County, as depicted on map number 21455 which is made a part of this order. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 2.08 cfs (934 gallons per minute).

<u>Township 32 North, Range 02 East of the 6<sup>th</sup> P.M. in Cedar County</u>	<u>Acres</u>
Section 11: SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	23.9
Section 12: SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	37.2
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	12.8
NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	18.4
NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	14.6
SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	23.4
SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	<u>15.5</u>
TOTAL	145.8

2. All terms and conditions of appropriation A-19802 remain in effect unless specifically changed by this order.
3. The appropriator must comply with all relevant statutes. The statutes 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

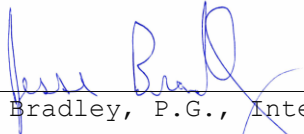
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative 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 in the future you are not able to divert sufficient amounts of water, and if there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

August 19, 2024

  
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Jesse Bradley, P.G., Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21455 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order, map number 21455 and Surface Water Administration brochure were mailed to the following:

Mathias G. and Jolene H. Weinandt  
89224 569<sup>th</sup> Avenue  
Wynot, Nebraska 68792