

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF NON-EXPEDITED TRANSFER NEX-10682 FOR WATER APPROPRIATION A-14446

AND MAP NUMBER 21503

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14446 is held by Robinson Land, LLC.
2. Appropriation A-14446 has a priority date of September 8, 1976, and authorizes the use of water for irrigation of the 251.0 acres of land described below. The water may be diverted from the Elkhorn River at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 16 North, Range 10 East of the 6th P.M. in Douglas 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 3.59 cfs. This appropriation of water under any circumstance shall be limited annually to three acre-feet per acre of land on which water is actually and beneficially applied.

<u>Township 16 North, Range 10 East of the</u>		
<u>6th P.M. in Douglas County</u>		<u>Acres</u>
Section 27:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	47.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.5
Section 28:	SE $\frac{1}{4}$ SE $\frac{1}{4}$	4.0
Section 34:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	47.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34.5
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>38.5</u>
TOTAL		251.0

3. On October 22, 2024, Chad Schuler and Edward T. Robinson, III, on behalf of Robinson Land, LLC, filed application NEX-10682 for a permit for a non-expedited transfer of the location of use and map number 21503 showing the land proposed to be irrigated under A-14446 through NEX-10682.
4. Robinson Land, LLC, through NEX-10682 requests the 251.0 acres listed above be transferred to cover 386.9 acres.
5. Appropriation A-14446 through NEX-10682 will be provided additional water by Application A-20047.

ORDER

IT IS HEREBY ORDERED:

1. Application NEX-10682 for a permit for a non-expedited transfer of the location of use under A-14446 and map number 21503 are APPROVED.
2. Appropriation A-14446 through transfer NEX-10682 authorizes the use of water to irrigate 386.9 acres of land described below and depicted on map number 21503, which is made a part of this Order. The water may be diverted from the Elkhorn River at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 16 North, Range 10 East of the 6th P.M. in Douglas County, as depicted on map number 21503. Water diverted shall not exceed the ratio of one cfs for every 108 acres irrigated at a maximum rate of 3.59 cfs (1611 gallons per minute). The total amount of water used by A-14446 under any circumstance shall be limited annually to 134 acre-feet (estimated historical consumptive use).

<u>Township 16 North, Range 10 East of the</u>		
<u>6th P.M. in Douglas County</u>		<u>Acres</u>
Section 27:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	35.1
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	37.8
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	37.3
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.9
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.3
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	19.6
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.3
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	30.4
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.1
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38.9
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	20.5
Section 28:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.4
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>0.5</u>
	TOTAL	386.9

3. Appropriation A-20047 provides additional water to land approved for irrigation under appropriation A-14446 through transfer NEX-10682.
4. The Department will administer calls for water for the benefit of A-14446 under the original point of diversion approved by Order dated September 28, 1978.
5. All terms and conditions of appropriation A-14446 remain in effect unless specifically changed by this Order.
6. A measuring device approved by the Department is required. Contact the Norfolk Field Office before acquiring a measuring device to ensure the device is acceptable.

7. Within two weeks after the first diversion of water under this application the appropriator must file written notice with the Norfolk Field Office informing the Department that the first irrigation diversions have occurred. The written communication must be signed by the appropriator and may be delivered by U.S. Postal Mail, hand delivered or sent via e-mail attachment to the Norfolk Field Office Supervisor.
8. 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

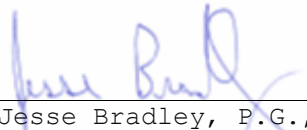
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative 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

December 19, 2024



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 21503 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 21503 were mailed to the following:

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