

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-20058 AND MAP NUMBER 21568

WATER DIVISION 1-D

BACKGROUND

1. On February 7, 2025, William F. Kastanek, on behalf of Sheryl J. Kastanek and himself, filed in the Department of Natural Resources (Department) application A-20058 for a Permit to Appropriate Water.
2. On February 28, 2025, William F. Kastanek filed in the Department map number 21568 showing land proposed to be irrigated under application A-20058.
3. Construction has been completed.

ORDER

IT IS HEREBY ORDERED that application A-20058 and map number 21568 are APPROVED subject to the following limitations and conditions:

1. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-20058 as depicted on map number 21568 which is made a part of this Order.

Township 07 North, Range 03 East of the 6 th P.M. in Saline County		Acres
Section 26:	SW $\frac{1}{4}$ NW $\frac{1}{4}$	17.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.9
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.4
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>1.3</u>
TOTAL		48.6

2. Appropriation A-20058 has a priority date of February 7, 2025, and authorizes the appropriator the use of 0.69 cubic feet per second (cfs) (310 gallons per minute) of water for irrigation of the 48.6 acres of land described above. The water may be diverted from Turkey Creek at a point of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 07 North, Range 03 East of the 6th P.M. in Saline County, as depicted on map number 21568
3. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated not to exceed 0.69 cfs nor the least amount of water necessary for the production of crops in the exercise of good husbandry. Therefore, in any year when less than the maximum permitted acres are being irrigated, the quantity of water diverted at any time may be restricted to 1/70 cfs for each permitted acre being irrigated that year. 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.

4. Only the land shown on map number 21568 may be irrigated under appropriation A-20058 unless a change is authorized by subsequent Order of the Department.
5. A measuring device approved by the Department is required. Contact the Lincoln Field Office before acquiring a measuring device to ensure the device will be acceptable.
6. Within two weeks after the first diversion of water under this application the appropriator must file written notice with the Lincoln 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 Lincoln Field Office Supervisor.
7. Appropriation A-20058 is provided supplemental water from Kastanek Pond, storage use appropriations A-20056 and A-20057, owned by William F. and Sheryl J. Kastanek.
8. 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).
9. The appropriation is not considered perfected until water has been beneficially applied for the purpose stated in this Order. The water appropriated under A-20058 must be beneficially used by September 1, 2027.
10. After September 1, 2027, a field investigation will be conducted to determine the lands where water has been beneficially applied.
 - A. If the entire appropriation is found to have water beneficially applied, a Certificate of Perfected Appropriation will be issued by the Department for A-20058.
 - B. If a portion of the appropriation is found to have had water beneficially applied within the original project concept the Department may, at its discretion, modify the project map and land listing to represent the conditions found during the field investigation. The number of acres and diversion rate determined by the Department will not exceed what is granted by this Order. A Certificate of Perfected Appropriation specifying the final number of acres, location of acres and diversion rate will be issued by the Department for A-20058.
 - C. If no portion of the appropriation is found to have water beneficially applied, the Department will issue an Order of Cancellation in Full for A-20058.

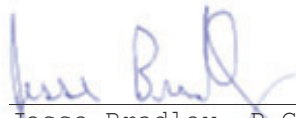
ADDITIONAL INFORMATION

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



May 13, 2027

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 21568 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map number 21568 and Surface Water Administration brochure were mailed to the following:

William F. and Sheryl J. Kastanek
1779 County Road K
Crete, Nebraska 68333