

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-7585 FOR WATER APPROPRIATION A-3010

AND MAP NUMBER 20455

WATER DIVISION 1-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-3010 is held by Wolf Farms, Inc.
2. Appropriation A-3010 has a priority date of November 6, 1939, and authorizes the use of water for irrigation of the 75.2 acres of land described below. The water may be diverted from Prairie Dog Creek at points of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 01 North, Range 18 West of the 6th P.M. in Harlan County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 171 acres irrigated at a maximum combined rate of 0.44 cfs from all points of diversion.

Township 01 North, Range 18 West of the	
<u>6th P.M. in Harlan County</u>	
	<u>Acres</u>
Section 31: NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.2
NE $\frac{1}{4}$ SW $\frac{1}{4}$	37.9
SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.1
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>31.0</u>
TOTAL	75.2

3. On January 21, 2020, Terry Kauk, on behalf of Wolf Farms, Inc., filed application EXT-7585 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-3010 and map number 20455 showing the land proposed to be irrigated under appropriation A-3010 through transfer EXT-7585.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-7585 for a permit for an expedited transfer of the location of use and map number 20455 are APPROVED.

2. Appropriation A-3010 through transfer EXT-7585 authorizes the use of water to irrigate 75.2 acres of land described below and depicted on map number 20455, which is made a part of this Order. The water may be diverted from Prairie Dog Creek at points of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 01 North, Range 18 West of the 6th P.M. in Harlan County as shown on map number 20455. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 171 acres irrigated at a maximum combined rate of 0.44 cfs (197 gallons per minute) from all points of diversion. The total volume may not exceed 2.47 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 01 North, Range 18 West of the</u>	
<u>6th P.M. in Harlan County</u>	
	<u>Acres</u>
Section 31: NW $\frac{1}{4}$ SW $\frac{1}{4}$	0.9
NE $\frac{1}{4}$ SW $\frac{1}{4}$	34.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.8
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>29.5</u>
TOTAL	75.2

3. All terms and conditions of appropriation A-3010 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

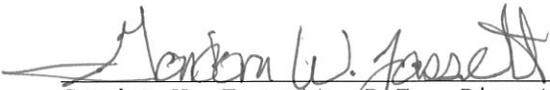
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative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

January 29, 2020


Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20455 were provided to the Department's field office in Cambridge, Nebraska. Copies of this Order and map number 20455 were mailed on January 29, 2020, to the following:

Terry Kauk
Wolf Farms, Inc.
P.O. Box 501
Alma, Nebraska 68920