

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF NON-EXPEDITED TRANSFER NEX-7890 FOR WATER APPROPRIATION A-12976

AND MAP NUMBER 20499

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12976 is held by Roger L. and Debra Woslager.
2. Appropriation A-12976 has a priority date of February 6, 1974, and authorizes the use of water for irrigation of the 92.0 acres of land described below. The water may be diverted from Willow Creek at points of diversion located NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 03, Township 15 North, Range 03 West of the 6<sup>th</sup> P.M. in Pierce County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 83 acres irrigated at a maximum combined rate of 1.11 cfs from all points of diversion.

| Township 25 North, Range 03 West of the |                                   |             |
|---|-----------------------------------|-------------|
| 6 <sup>th</sup> P.M. in Pierce County   |                                   | Acres       |
| Section 03:                             | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 33.0        |
|   | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 35.0        |
|   | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | <u>24.0</u> |
|   | TOTAL                             | 92.0        |

3. On February 7, 2020, Roger L. and Debra Woslager and Jason and Sarah Wachter filed application NEX-7890 for a change of appropriation (non-expedited transfer) for land authorized to be irrigated by appropriation A-12976.
4. On June 1, 2020, Jason and Sarah Wachter filed map number 20499 showing the land proposed to be irrigated under appropriation A-12976 through transfer NEX-7890.

ORDER

IT IS HEREBY ORDERED:

1. Application NEX-7890 for a permit for a change of appropriation (non-expedited transfer) and map number 20499 are APPROVED.

2. Appropriation A-12976 through transfer NEX-7890 authorizes the use of water to irrigate 77.7 acres of land described below and depicted on map number 20499, which is made a part of this Order. The water may be diverted from Willow Creek at a point of diversion located on the left bank of the stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 03, Township 25 North, Range 03 West of the 6<sup>th</sup> P.M. in Pierce County, as depicted on map number 20499. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 1.11 cfs (498 gallons per minute). The total volume may not exceed 3 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 25 North, Range 03 West of the</u> |                                   | <u>6<sup>th</sup> P.M. in Pierce County</u> | <u>Acres</u> |
|--|-----------------------------------|---|--------------|
| Section 03:                                    | SW $\frac{1}{4}$ NE $\frac{1}{4}$ |   | 40.0         |
|  | SE $\frac{1}{4}$ NE $\frac{1}{4}$ |   | <u>37.7</u>  |
|  | TOTAL                             |   | 77.7         |

3. All terms and conditions of appropriation A-12976 remain in effect unless specifically changed by this Order.
4. A measuring device, approved by the Department, may be required if so ordered by the Department.
5. 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

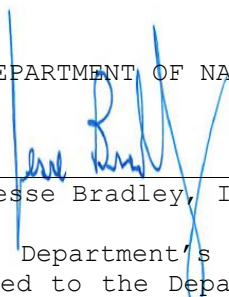
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative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

June 5, 2020

  
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Jesse Bradley, Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20499 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 20499 were mailed on June 5, 2020, to the following:

Roger L. and Debra Woslager  
85132 544<sup>th</sup> Avenue  
Pierce, Nebraska 68767

Jason and Sarah Wachter  
54394 852 Road  
Pierce, Nebraska 68767