

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART,

APPROVAL OF EXPEDITED TRANSFER EXT-9027 AND MAP NUMBER 20589

FOR WATER APPROPRIATION A-19022

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19022 is held by Raymond J. and Janet E. Naprstek.
2. Appropriation A-19022 has a priority date of February 13, 2013, and authorizes the use of water for irrigation of the 58.1 acres of land described below. The water may be diverted from Merriman Creek at a point of diversion located on both banks of the stream in the SW¹/₄SW¹/₄ of Section 24, Township 29 North, Range 07 West of the 6th P.M. in Knox 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 0.83 cfs.

<u>Township 29 North, Range 07 West of the 6th P.M. in Knox County</u>	<u>Acres</u>
Section 24: NW ¹ / ₄ SW ¹ / ₄	29.1
NE ¹ / ₄ SW ¹ / ₄	12.5
SW ¹ / ₄ SW ¹ / ₄	7.5
SE ¹ / ₄ SW ¹ / ₄	<u>9.0</u>
TOTAL	58.1

3. On October 21, 2020, Raymond J. Naprstek filed application EXT-9027 for a permit for an expedited transfer of the location of use for 51.4 of the 58.1 acres under surface water appropriation A-19022 and map number 20589 showing the land proposed to be irrigated under appropriation A-19022 through transfer EXT-9027.
4. On October 21, 2020, Raymond J. Naprstek filed REL-9141 relinquishing a portion of the water under appropriation A-19022, for use on the land described below.

<u>Township 29 North, Range 07 West of the 6th P.M. in Knox County</u>	<u>Acres</u>
Section 24: NW ¹ / ₄ SW ¹ / ₄	6.7

ORDER

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-19022 at the rate of 0.10 cfs for use upon the 6.7 acres of land described above is CANCELLED.
2. Application EXT-9027 for a permit for an expedited transfer of the location of use and map number 20589 are APPROVED.
3. Appropriation A-19022 through transfer EXT-9027 authorizes the use of water to irrigate 51.4 acres of land described below and depicted on map number 20589, which is made a part of this Order. The water may be diverted from Merriman Creek at a point of diversion located on both banks of the stream in the SW¹/₄SW¹/₄ of Section 24, Township 29 North, Range 07 West of the 6th P.M. in Knox County, as depicted on map number 20589. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.73 cfs (328 gallons per minute). The total volume may not exceed three acre-feet per irrigated acre per year.

<u>Township 29 North, Range 07 West of the</u>		
<u>6th P.M. in Knox County</u>		<u>Acres</u>
Section 24:	NW ¹ / ₄ SW ¹ / ₄	31.0
	NE ¹ / ₄ SW ¹ / ₄	6.9
	SW ¹ / ₄ SW ¹ / ₄	4.6
	SE ¹ / ₄ SW ¹ / ₄	<u>8.9</u>
	TOTAL	51.4

4. All terms and conditions of appropriation A-19022 remain in effect unless specifically changed by this Order.
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

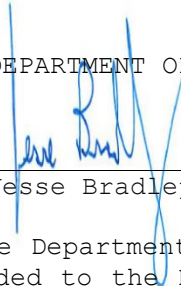
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative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

Nebraska law provides that failure to use an 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

October 26, 2020



Jesse Bradley, Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20589 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20589 were mailed on October 26, 2020, to the following:

Raymond J. and Janet E. Naprstek
52582 Highway 59
Creighton, Nebraska 68729