

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES  
ORDER OF CANCELLATION IN PART,  
APPROVAL OF PETITION RLP-9200 AND MAP 20606 TO CHANGE THE LOCATION OF  
DIVERSION FOR WATER APPROPRIATION A-2114

WATER DIVISION 1-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2114 is held by Stafford Ranch Company.
2. Appropriation A-2114 has a priority date of November 20, 1929, and authorizes the use of water for irrigation of 56.0 acres of land. The water may be diverted from Willow Creek at a point of diversion located in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 15, Township 14 North, Range 35 West of the 6<sup>th</sup> P.M. in Keith 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 0.80 cfs.
3. On November 9, 2020, Michael Thompson, on behalf of Stafford Ranch Company, filed petition RLP-9200 in the Department for a permit to change the location of diversion for appropriation A-2114.
4. on January 21, 2021, Michael Thompson filed map number 20606 in the Department showing the location of the proposed pump site and the land to be irrigated under appropriation A-2114 through petition RLP-9200 and REL-9288 relinquishing a portion of the water under appropriation A-2114, for use on the land described below.

| <u>Township 14 North, Range 35 West of the<br/>6<sup>th</sup> P.M. in Keith County</u> | <u>Acres</u> |
|--|--------------|
| Section 15: NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>              | 1.8          |
| NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>                          | <u>1.5</u>   |
| TOTAL  | 3.3          |

ORDER

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-2114 at the rate of 0.05 cfs is CANCELLED for use on the 3.3 acres of land described above.
2. Petition RLP-9200 for a permit to change the location of diversion for appropriation A-2114 and map number 20606 are APPROVED.

3. Appropriation A-2114R shall be shown in the Department's records authorizing the use of water to irrigate 52.7 acres of land described below and depicted on map number 20606, which is made a part of this Order. The water may be diverted from Willow 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 15, Township 14 North, Range 35 West of the 6<sup>th</sup> P.M. in Keith County, as depicted on map number 20606. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.75 cfs (337 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year.

| <u>Township 14 North, Range 35 West of the<br/>6<sup>th</sup> P.M. in Keith County</u> | <u>Acres</u> |
|--|--------------|
| Section 15: NW $\frac{1}{4}$ NE $\frac{1}{4}$  | 3.0          |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$  | 6.5          |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$  | 8.8          |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$  | 20.0         |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$  | 4.4          |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$  | <u>10.0</u>  |
| TOTAL  | 52.7         |

4. All terms and conditions of appropriation A-2114 remain in effect unless specifically changed by this Order.
5. The appropriator must comply with all relevant statutes. This includes, but is 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



February 17, 2021

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Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20606 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 20606 were mailed on February 17, 2021, to the following:

Michael Thomas  
Stafford Ranch Company  
619 Valley View Drive  
Ogallala, Nebraska 69153

Steve Krab, Tenant  
1647 East T Road  
Paxton, Nebraska 69155