

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9305 FOR WATER APPROPRIATION A-2029

AND MAP NUMBER 20639

WATER DIVISION 1-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2029 is held by Peterson Livestock, Inc.
2. Appropriation A-2029 has a priority date of September 18, 1928, and authorizes the use of water for irrigation of the 92.4 acres of land described below. The water may be diverted from Spring Creek at a point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, and from the Republican River in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, both in Township 03 North, Range 20 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 74 acres irrigated at a maximum combined rate of 1.26 cfs from all points of diversion.

Township 03 North, Range 20 West of the		
6 th P.M. in Harlan County		Acres
Section 23:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.2
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34.6
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9.2
Section 26:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	8.9
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.1
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>18.4</u>
	TOTAL	92.4

3. On February 2, 2021, Kevin Peterson, on behalf of Peterson Livestock, Inc., filed application EXT-9305 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-2029 and map number 20639 showing the land proposed to be irrigated under appropriation A-2029 through transfer EXT-9305.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9305 for a permit for an expedited transfer of the location of use and map number 20639 are APPROVED.
1. Appropriation A-2029 through transfer EXT-9305 authorizes the use of water to irrigate 92.4 acres of land described below and depicted on map number 20639, which is made a part of this Order. The water may be diverted from Spring Creek at a point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, and from the Republican River in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, both in Township 03 North, Range 20 West of the 6th P.M. in Harlan County as depicted on map number 20639. Water diverted shall not exceed the ratio of one cfs for every 74 acres irrigated at a maximum combined rate of 1.26 cfs from all points of diversion (565 gallons per minute). The total volume may not exceed 2.86 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.

Township 03 North, Range 20 West of the		
6 th P.M. in Harlan County		Acres
Section 23:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.2
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34.6
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9.2
Section 26:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	8.9
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.1
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>18.4</u>
	TOTAL	92.4

2. All terms and conditions of appropriation A-2029 remain in effect unless specifically changed by this Order.
3. 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



March 23, 2021

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 20639 were provided to the Department's field office in Cambridge, Nebraska. Copies of this Order and map number 20639 were mailed on March 23, 2021, to the following:

Kevin Peterson
Peterson Livestock, Inc.
10518 US Highway 136
Orleans, Nebraska 68966