

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9337

AND PETITION RLP-9340 TO CHANGE THE LOCATION OF DIVERSION

FOR WATER APPROPRIATION D-478CR AND MAP NUMBER 20676

WATER DIVISION 2-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation D-478CR is held by Linda Caylor and Kathleen Soester.
2. Appropriation D-478CR has a priority date of January 10, 1895, and authorizes the use of water for irrigation of the 51.0 acres of land described below. The water may be diverted from the White River at a point of diversion located on in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 32 North, Range 52 West of the 6th P.M. in Dawes 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 0.73 cfs.

<u>Township 32 North, Range 52 West of the 6th P.M. in Dawes County</u>	<u>Acres</u>
Section 26: SE $\frac{1}{4}$ NW $\frac{1}{4}$	21.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>18.0</u>
TOTAL	51.0

3. On March 25, 2021, Linda Caylor and Kathleen Soester filed in the Department application EXT-9337 for a permit for an expedited transfer of the location of use, petition RLP-9340 for a permit to change the location of diversion for land authorized to be irrigated by appropriation D-478CR.
4. On March 25, 2021, Linda Caylor and Kathleen Soester, also filed map number 20676 showing the location of the proposed pump site through petition RLP-9340 and the land proposed to be irrigated under appropriation D-478CR through transfer EXT-9337.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-9340 for a permit to change the location of diversion, application EXT-9337 for a permit for an expedited transfer of the location of use and map number 20676 are APPROVED.

2. Appropriation D-478CR through transfer EXT-9337 authorizes the use of water to irrigate 51.0 acres of land described below and depicted on map number 20676, which is made a part of this Order. The water may be diverted from the White River at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 32 North, Range 52 West of the 6th P.M. in Dawes County, as depicted on map number 20676. 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 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 32 North, Range 52 West of the</u> <u>6th P.M. in Dawes County</u>	<u>Acres</u>
Section 26: NE $\frac{1}{4}$ NW $\frac{1}{4}$	3.5
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33.3
NE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>14.2</u>
TOTAL	51.0

3. All terms and conditions of previous orders 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



Thomas E. Riley, P.E., Director

April 12, 2021

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20676 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 20676 were mailed on April 12, 2021, to the following:

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c/o Kathleen Soester
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Crawford, Nebraska 69339

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Kathleen Soester
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