

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9334

FOR WATER APPROPRIATION A-18122 AND MAP NUMBER 20669

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18122 is held by Hawley Farms, Inc.
2. Appropriation A-18122 has a priority date of December 17, 2002, and authorizes the use of water for irrigation of the 90.1 acres of land described below. The water may be diverted from the Little Nemaha River at a point of diversion located on the west bank of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 05, Township 05 North, Range 14 East of the 6<sup>th</sup> P.M. in Nemaha 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 1.29 cfs.

Township 05 North, Range 14 East of the 6 <sup>th</sup> P.M. in Nemaha County	Acres
Section 05: NW $\frac{1}{4}$ NW $\frac{1}{4}$	21.4
NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.3
SW $\frac{1}{4}$ NW $\frac{1}{4}$	35.1
SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>23.3</u>
TOTAL	90.1

3. On March 10, 2021, John Hawley filed application EXT-9334 for a permit for an expedited transfer of the location of use and map number 20669 showing the land to be irrigated by appropriation A-18122 through transfer EXT-9334.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9334 for a permit for an expedited transfer of the location of use under appopriation A-18122 and map number 20669 are APPROVED.

2. Appropriation A-18122 through transfer EXT-9334 authorizes the use of water to irrigate 90.1 acres of land described below and depicted on map number 20669, which is made a part of this Order. The water may be diverted from the Little Nemaha River at a point of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 05, Township 05 North, Range 14 East of the 6<sup>th</sup> P.M. in Nemaha County, as depicted on map number 20669. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 1.29 cfs (579 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.

Township 05 North, Range 14 East of the 6 <sup>th</sup> P.M. in Nemaha County	Acres
Section 05: NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.1
NE $\frac{1}{4}$ NW $\frac{1}{4}$	14.1
SW $\frac{1}{4}$ NW $\frac{1}{4}$	31.2
SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>13.7</u>
TOTAL	90.1

3. All terms and conditions of appropriation A-18122 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



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Thomas E. Riley, P.E., Director

May 25, 2021

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20669 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 20669 were mailed on May 25, 2021, to the following:

John Hawley  
Hawley Farms, Inc.  
73016 638 Avenue  
Auburn, Nebraska 68305