

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9240 FOR WATER APPROPRIATION A-12427

AND MAP NUMBER 20620

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12427 is held by Robert and Mary Ann Stueckrath.
2. Appropriation A-12427 has a priority date of November 16, 1971, and authorizes the use of water for irrigation of the 65.0 acres of land described below. The water may be diverted from Union Creek at a point of diversion located on the right bank of the stream in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 03, Township 21 North, Range 01 West of the 6<sup>th</sup> P.M. in Madison 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 0.93 cfs.

<u>Township 21 North, Range 01 West of the</u> <u>6<sup>th</sup> P.M. in Madison County</u>	<u>Acres</u>
Section 03: NW $\frac{1}{4}$ NE $\frac{1}{4}$	30.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>35.0</u>
TOTAL	65.0

3. On April 12, 2021, Robert Stueckrath filed application EXT-9240 for a permit for an expedited transfer of the location of use and map number 20620 showing the land proposed to be irrigated under appropriation A-12427 through transfer EXT-9240.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9240 for a permit for an expedited transfer of the location of use and map number 20620 are APPROVED.

2. Appropriation A-12427 through transfer EXT-9240 authorizes the use of water to irrigate 65.0 acres of land described below and depicted on map number 20620, which is made a part of this Order. The water may be diverted Union Creek at a point of diversion located on the right bank of the stream in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 03, Township 21 North, Range 01 West of the 6<sup>th</sup> P.M. in Madison County, as depicted on map number 20620. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.93 cfs (417 gallons per minute). The total volume may not exceed three 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 21 North, Range 01 West of the 6 <sup>th</sup> P.M. in Madison County	Acres
Section 03: NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	24.8
NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	0.5
SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	24.4
SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	<u>15.3</u>
TOTAL	65.0

3. All terms and conditions of appropriation A-12427 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



June 21, 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 20620 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 20620 were mailed on June 21, 2021, to the following:

Robert and Mary Ann Stueckrath  
82766 554½ Avenue  
Madison, Nebraska 68748