

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9015 FOR WATER APPROPRIATION A-6487

AND MAP NUMBER 20575

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-6487 is held by Robert J. and Susan M. Malander, Trustees.
2. Appropriation A-6487 has a priority date of July 26, 1954, and authorizes the use of water for irrigation of the 61.0 acres of land described below. The water may be diverted from the Cedar River at a point of diversion located in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 36, Township 18 North, Range 07 West of the 6<sup>th</sup> P.M. in Nance County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum rate of 0.44 cfs.

<u>Township 18 North, Range 07 West of the</u>	<u>Acres</u>
<u>6<sup>th</sup> P.M. in Nance County</u>	
Section 36: NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	3.0
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	17.0
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	24.0
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	<u>17.0</u>
TOTAL	61.0

3. On November 20, 2020, Robert J. and Susan M. Malander, Trustees of the Robert J. Malander Trust filed application EXT-9015 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-6487.
4. On August 10, 2021, Robert J. Malander corrected filed application EXT-9015.
5. On September 16, 2021, Robert J. Malander filed map number 20575 showing the land proposed to be irrigated under appropriation A-6487 through transfer EXT-9015.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9015 for a permit for an expedited transfer of the location of use and map number 20575 are APPROVED.

2. Appropriation A-6487 through transfer EXT-9015 authorizes the use of water to irrigate 61.0 acres of land described below and depicted on map number 20575, which is made a part of this Order. The water may be diverted from the Cedar River at a point of diversion located on the left bank of the stream in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 36, Township 18 North, Range 07 West of the 6<sup>th</sup> P.M. in Nance County, as depicted on map number 20575. Water diverted shall not exceed the ratio of one cfs for every 140 acres irrigated at a maximum rate of 0.44 cfs (197 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 18 North, Range 07 West of the 6 <sup>th</sup> P.M. in Nance County		Acres
Section 36:	NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	4.2
	NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	11.4
	SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	23.7
	SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	17.1
	NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	<u>4.6</u>
	TOTAL	61.0

3. All terms and conditions of appropriation A-6487 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



September 28, 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 20575 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20575 were mailed on September 28, 2021, to the following:

Robert J. and Susan Malander, Trustees  
46989 State Highway 52  
Belgrade, Nebraska 68623