

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9578 FOR WATER APPROPRIATION A-2555

AND MAP NUMBER 20903

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2555 is held by Stephen W. and Melissa A. Johndreau.
2. Appropriation A-2555 has a priority date of August 9, 1935, and authorizes the use of water for irrigation of the 67.0 acres of land described below. The water may be diverted from the Niobrara River at points of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, both in Township 31 North, Range 42 West of the 6th P.M. in Sheridan County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 0.96 cfs from all points of diversion.

Township 31 North, Range 42 West of the		
6 th P.M. in Sheridan County		Acres
Section 24:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8
Section 25:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	18.2
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	26.3
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>10.2</u>
	TOTAL	67.0

3. On February 11, 2022, Stephen W. and Melissa A. Johndreau filed application EXT-9578 for a permit for an expedited transfer of the location of use and map number 20903 showing the land proposed to be irrigated under appropriation A-2555 through transfer EXT-9578.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9578 for a permit for an expedited transfer of the location of use and map number 20903 are APPROVED.

2. Appropriation A-2555 through transfer EXT-9578 authorizes the use of water to irrigate 67.0 acres of land described below and depicted on map number 20903, which is made a part of this Order. The water may be diverted from the Niobrara River at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 31 North, Range 42 West of the 6th P.M. in Sheridan County, as depicted on map number 20903. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum combined rate of 0.96 cfs (431 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 31 North, Range 42 West of the 6 th P.M. in Sheridan County		Acres
Section 24:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.3
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	19.6
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.2
Section 25:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	28.6
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	12.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.3
	TOTAL	67.0

3. All terms and conditions of appropriation A-2555 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



March 2, 2022

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 20903 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 20903 were mailed on March 2, 2022, to the following:

Stephen W. and Melissa A. Johndreau
1964 541st Trail
Gordon, Nebraska 69343