

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9614

FOR WATER APPROPRIATIONS A-18028A AND A-18028B

AND MAPS NUMBER 20940 AND 20941

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriations A-18028A and A-18028B are held by Jerold and Marilyn Mohr.
2. Appropriations A-18028A and A-18028B have a priority date of January 7, 2002.
3. Appropriation A-18028A authorizes the use of water for irrigation of the 133 acres of land described below. The water may be diverted from the Loup River into the via the headgate of the Columbus-Genoa Canal located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 133 acres irrigated at a maximum rate of 1.0 cfs.

<u>Township 17 North, Range 04 West of the</u>		<u>Acres</u>
<u>6th P.M. in Nance County</u>		
Section 22:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	33
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>34</u>
	TOTAL	133

4. Appropriation A-18028B authorizes the use of water for irrigation of the 116 acres of land described below. The water may be diverted from the Loup River into the via the headgate of the Columbus-Genoa Canal located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 130 acres irrigated at a maximum rate of 0.89 cfs.

<u>Township 17 North, Range 04 West of the</u>		<u>Acres</u>
<u>6th P.M. in Nance County</u>		
Section 23:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	38
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>33</u>
	TOTAL	116

5. Appropriations A-18028A and A-18028B provide additional water to land approved for irrigation under appropriations A-13625A and A-13625B, respectively.
6. On March 17, 2022, Jerold Mohr filed application EXT-9614 for a permit for an expedited transfer of the location of use for the water associated with 10 acres authorized to be irrigated under appropriation A-18028B. The rate of diversion for A-18028B will diminish and the rate of diversion for A-18028A will increase. The number of acres irrigated under A-18028B will be reduced by 10 acres, while the number of acres under A-18028A will remain the same.
7. Through application EXT-9614 the acres authorized for irrigation under appropriation A-18028B will be reduced by 10 acres. The 133 acres under A-18028A will remain the same but the rate of diversion will increase to a maximum rate of 1.08 cfs.
8. On August 11, 2022, Jerold and Marilyn Mohr filed maps number 20940 and 20941 showing the land proposed to be irrigated under appropriations A-18028A and A-18028B, respectively, through transfer EXT-9614.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9614 for a permit for an expedited transfer of the location of use under appropriations A-18028A and A-18028B and maps number 20940 and 20941 are APPROVED.
2. Appropriation A-18028A through transfer EXT-9614 authorizes the use of water to irrigate 133 acres of land described below and depicted on map number 20940, which is made a part of this Order. The water may be diverted from the Loup River via the headgate of the Columbus-Genoa Canal located in the NE¹/₄NW¹/₄ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance County and withdrawn from the canal at a point of diversion on the left bank of the canal in the SW¹/₄SE¹/₄ of Section 22, Township 17 North, Range 04 West of the 6th P.M. in Nance County, as depicted on map number 20940. Water diverted shall not exceed the ratio of one cfs for every 123 acres irrigated at a maximum rate of 1.08 cfs (485 gallons per minute). The total volume may not exceed 1.81 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 17 North, Range 04 West of the	
<u>6th P.M. in Nance County</u>	
	Acres
Section 22: NW ¹ / ₄ SW ¹ / ₄	33
NE ¹ / ₄ SW ¹ / ₄	33
SW ¹ / ₄ SW ¹ / ₄	33
SE ¹ / ₄ SW ¹ / ₄	<u>34</u>
TOTAL	133

3. Appropriation A-18028B through transfer EXT-9614 authorizes the use of water to irrigate 106 acres of land described below and depicted on map number 20941, which is made a part of this Order. The water may be diverted from the Loup River into the via the headgate of the Columbus-Genoa Canal located located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance County and withdrawn from the canal at a point of diversion on the right bank of the canal in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 17 North, Range 04 West of the 6th P.M. in Nance County, as depicted on map number 20940. Water diverted shall not exceed the ratio of one cfs for every 131 acres irrigated at a maximum rate of 0.81 cfs (364 gallons per minute). The total volume may not exceed 1.6 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 17 North, Range 04 West of the</u>	
<u>6th P.M. in Nance County</u>	
	<u>Acres</u>
Section 23: NW $\frac{1}{4}$ SW $\frac{1}{4}$	10
NE $\frac{1}{4}$ SW $\frac{1}{4}$	35
SW $\frac{1}{4}$ SW $\frac{1}{4}$	38
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>23</u>
TOTAL	106

4. Appropriations A-18028A and A-18028B through transfer EXT-9614 provide additional water to land approved for irrigation under appropriation A-13625A and A-13625B through transfer EXT-9580, respectively.
5. All terms and conditions of previous orders for appropriation A-18028 remain in effect unless specifically changed by this Order.
6. A measuring device, approved by the Department, may be required if so ordered by the Department.
7. 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



August 30, 2022

Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and maps number 20940 and 20941 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 20940 and 20941 were mailed to the following:

Jerold and Marilyn Mohr
35724 State Highway 22
Genoa, Nebraska 68640