STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-4675 FOR WATER APPROPRIATION A-2992

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2992 is held by Vernon D. Curtis.

2. Appropriation A-2992 has a priority date of October 18, 1939, and authorizes the use of water for irrigation of the 148.9 acres of land described below. The water may be diverted from the Big Blue River at points of diversion located on the left bank of the stream in the W½ of Section 10, Township 10 North, Range 3 East of the 6th P.M. in Seward County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum combined rate of 1.07 cfs from all points of diversion (480 gallons per minute).

Township 10 North, Range 3 East of the 6th P.M. in Seward County		Acres
Section 10:	SE¼NW¼	25.6
	SW¼NE¼	40.0
	NE¼SW¼	18.8
	SE¼SW¼	22.5
	NW¼SE¼	12.0
	SW¼SE¼	30.0
	TOTAL	148.9

3. Appropriation A-12215 provides additional water to land approved for irrigation under appropriation A-2992.

4. On May 1, 2013, Vernon D. Curtis filed application EXT-4675 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-2992 and map number 18491 showing the land proposed to be irrigated under appropriation A-2992 through transfer EXT-4675.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-4675 for a permit for an expedited transfer of the location of use and map number 18491 are APPROVED.

2. Appropriation A-2992 through transfer EXT-4675 authorizes the use of water to irrigate 148.9 acres of land described below and depicted on map number 18491, which is made a part of this Order. The water may be diverted from the Big Blue River at a point of diversion located on the left bank of the stream in the NE¼SW¼ of Section 10, Township 10 North, Range 3 East of the 6th P.M. in Seward County. Water diverted shall not exceed the ratio of one cfs for every 140 acres irrigated at a maximum combined rate of 1.07 cfs from all points of diversion (480 gallons per minute). The total combined volume of all appropriations may not exceed 3 acre-feet per irrigated acre per year.

Township 10 North, Range 3 East of the 6th P.M. in Seward County		Acres
Section 10:	NE¼NW¼	9.8
	SE¼NW¼	20.1
	NW¼NE¼	36.6
	NE¼NE¼	25.4
	SW¼NE¼	32.1
	SE¼NE¼	2.1
	NE¼SW¼	2.8
	NW¼SE¼	20.0
	TOTAL	148.9

3. Appropriation A-12215 through transfer EXT-4673 provides additional water to land approved for irrigation under appropriation A-2992 through transfer EXT-4675.

4. All terms and conditions of appropriation A-2992 remain in effect unless specifically changed by this Order.

5. A measuring device approved by the Department is required.

6. The appropriator must comply with all relevant statutes. This includes, but is 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 Approval 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 an 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 5, 2013

Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of $10.

A copy of this Order was posted on the Department's website. Copies of this Order and map number 18491 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18491 were mailed on September 5, 2013, to the following:

Vernon D. Curtis
1125 252nd Road
Milford, Nebraska 68405