

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART AND

APPROVAL OF EXPEDITED TRANSFER EXT-4683 FOR WATER APPROPRIATION A-12650

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12650 is held by Leonard and Mary Reimers.
2. Appropriation A-12650 has a priority date of June 7, 1972, and authorizes the use of water for irrigation of the 38.8 acres of land described below. The water may be diverted from the Middle Loup River at a point of diversion located on the right bank of the stream in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 29, Township 13 North, Range 12 West of the 6<sup>th</sup> P.M. in Howard 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 0.55 cfs.

<u>Township 13 North, Range 12 West of the</u>	
<u>6<sup>th</sup> P.M. in Howard County</u>	
	<u>Acres</u>
Section 29: NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	26.4
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	4.8
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	7.5
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	<u>0.1</u>
TOTAL	38.8

3. On May 16, 2013, Leonard Reimers filed application EXT-4683 for a permit for an expedited transfer of the location of use for 37.7 of the 38.8 acres under surface water appropriation A-12650 and map number 18519 showing the land proposed to be irrigated under appropriation A-12650 through transfer EXT-4683.
4. On May 16, 2013, Leonard and Mary Reimers filed REL-4684 relinquishing a portion of the water under appropriation A-12650, for use on the land described below.

<u>Township 13 North, Range 12 West of the</u>	
<u>6<sup>th</sup> P.M. in Howard County</u>	
	<u>Acres</u>
Section 29: SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	1.1

ORDER

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-12650 at the rate of 0.01 cfs is CANCELLED for use on the land described below.

Township 13 North, Range 12 West of the  
6<sup>th</sup> P.M. in Howard County                      Acres

Section 29: SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>    1.1

2. Application EXT-4683 for a permit for an expedited transfer of the location of use and map number 18519 are APPROVED.

3. Appropriation A-12650 through transfer EXT-4683 authorizes the use of water to irrigate 37.7 acres of land described below and depicted on map number 18519, which is made a part of this Order. The water may be diverted from the Middle Loup River at a point of diversion located on the right bank of the stream in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 29, Township 13 North, Range 12 West of the 6<sup>th</sup> P.M. in Howard County. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.54 cfs (242 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year.

Township 13 North, Range 12 West of the  
6<sup>th</sup> P.M. in Howard County                      Acres

Section 29:	NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	29.7
	NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	4.6
	SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	3.0
	SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	<u>0.4</u>
	TOTAL	37.7

4. All terms and conditions of appropriation A-12650 remain in effect unless specifically changed by this Order.

5. 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.

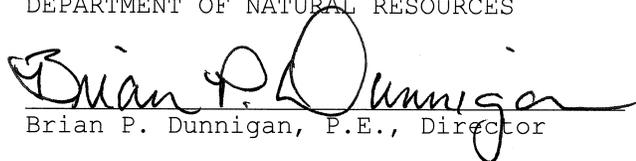
ADDITIONAL INFORMATION

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.

DEPARTMENT OF NATURAL RESOURCES

July 29, 2013

  
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 18519 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 18519 were mailed on July 29, 2013, to the following:

Leonard and Mary Reimers  
923 Pawnee Street  
P.O. Box 215  
Boelus, Nebraska 68820