STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART AND APPROVAL OF EXPEDITED TRANSFER EXT-4712

FOR WATER APPROPRIATION A-4058AR

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4058AR is held by Ronald D. and Karen N. Scott.

2. Appropriation A-4058AR has a priority date of March 31, 1947, and authorizes the use of water for irrigation of the 17.3 acres of land described below. The water may be diverted from the Cedar River at a point of diversion located on the right bank of the stream in the NW¼NW¼ of Section 1, Township 17 North, Range 7 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 140 acres irrigated at a maximum rate of 0.12 cfs.

Township 18 North, Range 7 West of the 6th P.M. in Nance County		Acres
Section 35:	NE¼SE¼	4.5
	SE¼SE¼	8.5
Section 36:	SW¼SW¼	4.3
	TOTAL	17.3

3. On May 29, 2013, Ronald D. Scott filed in the Department application EXT-4712 for a permit for an expedited transfer of the location of use for 13.4 of the 17.3 acres of land authorized to be irrigated by appropriation A-4058AR and map number 18526 showing the land proposed to be irrigated under appropriation A-4058AR through transfer EXT-4712.

4. On May 29, 2013, Ronald D. Scott filed REL-4713 relinquishing a portion of the water under appropriation A-4058AR, for use on the land described below.

Township 18 North, Range 7 West of the 6th P.M. in Nance County		Acres
Section 36:	SW¼SW¼	3.9

ORDER

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-4058AR at the rate of 0.02 cfs is CANCELLED for use on the land described below.

Township 18 North, Range 7 West of the 6th P.M. in Nance County		Acres
Section 36:	SW¼SW¼	3.9

2. Application EXT-4712 for a permit for an expedited transfer of the location of use and map number 18526 are APPROVED.

3. Appropriation A-4058AR through transfer EXT-4712 authorizes the use of water to irrigate 13.4 acres of land described below and depicted on map number 18526, 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 right bank of the stream in the NW¼NW¼ of Section 1 Township 17 North, Range 7 West of the 6th P.M. in Nance County. Water diverted shall not exceed the ratio of one cfs for every 140 acres irrigated at a maximum rate of 0.10 cfs (45 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year.

Township 18 North, Range 7 West of the 6th P.M. in Nance County		Acres
Section 35:	SE¼SE¼	5.1
Section 36:	SW¼SW¼	2.0
Township 17 North, Range 7 West of the 6th P.M. in Nance County		**Acres**
Section 1:	NW¼NW¼	1.0
Section 2:	NE¼NE¼	5.3
	TOTAL	13.4

4. All terms and conditions of appropriation A-4058AR 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.

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 3, 2013

Brian P. Dunnigan

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 18526 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 18526 were mailed on September 3, 2013, to the following:

Ronald D. and Karen N. Scott
20579 North 465th Street
Belgrade, Nebraska 68623

Mark Scott
45582 North 205th Avenue
Belgrade, Nebraska 68623