

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFERS EXT-1983, EXT-1984, EXT-1985 AND EXT-1986,

FOR APPROPRIATIONS A-9642, A-15088, A-17602 AND A-18290

TWIN LOUPS RECLAMATION DISTRICT

WATER DIVISION 2-A

BACKGROUND

- Records on file in the Department of Natural Resources (Department) show that surface water appropriations in the table below are held by the Twin Loups Reclamation District (TLRD):

Appropriation Number	Priority Date	Source	Use	Grant ¹ in		Acres
				cfs	af	
A-9642	8/28/1958	Calamus River	IR ²	736.80		51,576.4
A-9956	7/19/1961	Calamus River	IR	0.60		46.0
A-15088	8/24/1977	North Loup River	IR	783.49		54,844.5
A-15089	8/24/1977	Calamus River	IR	44.90		3,143.5
A-17105	8/28/1991	Davis Creek Reservoir	SI ³		36,015.0	12,005.0
A-17602	7/23/1997	Calamus Reservoir	SI		56,860.0	31,407.5
A-18287	3/9/2005	North Loup River	IR	0.70		50.6
A-18288	3/9/2005	Calamus River	IR	1.85		129.2
A-18290	3/18/2005	Calamus Reservoir	SI		42,495.0	23,487.6
A-18291	3/18/2005	Davis Creek Reservoir	SI		26,500.2	8,833.4
A-18391	4/25/2006	North Loup River	IR	2.78		194.7
A-18393	4/25/2006	Calamus River	IR	2.78		194.7
A-18392	4/25/2006	Calamus Reservoir	SI		399.0	194.7
A-18394	4/25/2006	Davis Creek Reservoir	SI		196.2	65.4

¹Grants listed indicate the total for each appropriation. Amount diverted under any appropriation must be less any amount diverted under any other appropriations for the same land. Land under supplemental irrigation appropriations may receive water from the Davis Creek Reservoir and the Calamus Reservoir; land under direct flow appropriations may receive water from the Calamus River and the North Loup River; less any amounts diverted under any other natural flow appropriations, and the total rate of all direct flow diversions may not exceed one cfs per seventy acres irrigated, and the total volume of all diversions are not to exceed three acre-feet per acre irrigated per annum, nor exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

²IR = Irrigation from direct flow.

³SI = Supplemental irrigation (from a reservoir) on land also covered by a direct flow appropriation.

Total number of acres approved for irrigation from direct flow (IR): 55,089.8

Number of acres entitled to water from each source:

Calamus River	55,089.8
North Loup River	55,089.8

Total number of acres approved for supplemental irrigation (SI): 55,089.8

Number of acres entitled to water from each source:

Calamus Reservoir	55,089.8
Davis Creek Reservoir	20,903.8

2. On February 29, 2008, the Department approved maps number 16578, 16579, 16953 and 16954 and a list of land approved for irrigation under all appropriations held by Twin Loups Reclamation District. That land listing indicated the correct number of acres under each appropriation; however, the listing omitted 26.4 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 18 North, Range 14 West of the 6th P.M. in Valley County under appropriations A-9642, A-15088 and A-17602.
3. On October 13, 2010, Ron Wolf, Board Secretary, Twin Loups Reclamation District, and individual landowners filed in the Department applications EXT-1983, EXT-1984, EXT-1985 and EXT-1986, for permits for expedited transfers of the location of use for portions of appropriations A-9642, A-15088, A-17602 and A-18290 respectively, for the land described below:

EXT-1983 A-9642 <u>TRANSFERRED FROM</u>	EXT-1983 A-9642 <u>TRANSFERRED TO</u>
<u>Township 19 North, Range 16 West Valley County</u> Acres	<u>Township 19 North, Range 16 West Valley County</u> Acres
Section 26: SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5	Section 26: SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5
<u>Township 19 North, Range 15 West Valley County</u> Acres	<u>Township 19 North, Range 15 West Valley County</u> Acres
Section 18: NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.1	Section 18: SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.2
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.3	
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.6	Section 25: NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.2
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2	SE $\frac{1}{4}$ SE $\frac{1}{4}$ <u>7.8</u>
<u>Township 19 North, Range 14 West Valley County</u> Acres	TOTAL 13.7
Section 30: NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.8	
SE $\frac{1}{4}$ SW $\frac{1}{4}$ <u>6.2</u>	
TOTAL 13.7	

EXT-1984
A-15088
TRANSFERRED FROM

<u>Township 19 North, Range 16 West Valley County</u>		Acres
Section 26:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5
<u>Township 19 North, Range 15 West Valley County</u>		Acres
Section 18:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.1
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.3
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.6
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2
<u>Township 19 North, Range 14 West Valley County</u>		Acres
Section 30:	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.8
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>6.2</u>
	TOTAL	13.7

EXT-1984
A-15088
TRANSFERRED TO

<u>Township 19 North, Range 16 West Valley County</u>		Acres
Section 26:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5
<u>Township 19 North, Range 15 West Valley County</u>		Acres
Section 18:	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.2
Section 25:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.2
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>7.8</u>
	TOTAL	13.7

EXT-1985
A-17602
TRANSFERRED FROM

<u>Township 19 North, Range 16 West Valley County</u>		Acres
Section 26:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5
<u>Township 19 North, Range 15 West Valley County</u>		Acres
Section 18:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.1
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.6
<u>Township 19 North, Range 14 West Valley County</u>		Acres
Section 30:	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.8
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>6.2</u>
	TOTAL	12.2

EXT-1985
A-17602
TRANSFERRED TO

<u>Township 19 North, Range 16 West Valley County</u>		Acres
Section 26:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5
<u>Township 19 North, Range 15 West Valley County</u>		Acres
Section 18:	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.7
Section 25:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.2
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>7.8</u>
	TOTAL	12.2

EXT-1986 A-18290 <u>TRANSFERRED FROM</u>		EXT-1986 A-18290 <u>TRANSFERRED TO</u>		
Township 19 North, Range 15 West Valley County		Township 19 North, Range 15 West Valley County		
		Acres		
Section 18:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.3	Section 18: SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>0.2</u>		
	TOTAL	1.5		

ORDER

IT IS HEREBY ORDERED:

1. Applications EXT-1983, EXT-1984, EXT-1985 and EXT-1986 for permits for expedited transfers of the location of use are APPROVED.
2. The land described in the "transferred from" columns above are no longer subject to irrigation under appropriations A-9642, A-15088, A-17602 or A-18290 as indicated.
3. The land described in the "transferred to" columns above are now entitled to be irrigated under appropriations A-9642, A-15088, A-17602 or A-18290 as indicated.
4. All terms and conditions of appropriations A-9642, A-15088, A-17602 and A-18290 remain in effect, unless specifically changed by this Order.
5. A map must be filed in the office of the Department by six months past the signing date of this application approval, prepared according to Department *Rules for Surface Water, Title 457 Neb. Admin. Code, Chapter 10.*
6. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
 - A. Receive approval prior to taking any action that changes the location of the point of diversion, a transfer of the location of the place of use, a relinquishment of a portion of the appropriation, the type of use or the type of appropriation.
 - B. Notify the Department of the reassignment of relinquished portions of an appropriation.
 - C. Comply with all relevant Notices and Orders of the Department.

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 a portion or all of a perfected appropriation for five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

June 29, 2011


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* 454 *Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (4th Floor, Nebraska State Office Building, 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. A copy of this Order was provided to the Department's field office in Ord, Nebraska. A copy of this Order was mailed on June 29, 2011, to the following:

Twin Loups Reclamation District
PO Box 98
Scotia, Nebraska 68875