

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER T-1292 FOR WATER APPROPRIATION A-18407

WATER DIVISION 1-D

Background

1. Surface water appropriation A-18407 is held by Berdine Kruse Life Estate.
2. Appropriation A-18407 has a priority date of June 20, 2006, and authorizes the use of water for irrigation of the 50.0 acres of land described below. The water may be diverted from Lincoln Creek at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 11 North, Range 3 East of the 6th P.M. in Seward County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.72 cfs.

Township 11 North, Range 3 East of the 6 th P.M. in Seward County		Acres
Section 19:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	12.6
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>37.4</u>
	TOTAL	50.0

3. Jon W. Kruse, Power of Attorney on behalf of Berdine Kruse Life Estate, filed application T-1292 for a permit for an expedited transfer of the location of use requesting a transfer for the land authorized to be irrigated by appropriation A-18407.
4. Jon W. Kruse, Power of Attorney on behalf of Berdine Kruse Life Estate, filed map number 17077 showing the land proposed to be irrigated under appropriation A-18407 through transfer T-1292.

Order

IT IS HEREBY ORDERED:

1. Application T-1292 for a permit for an expedited transfer of the location of use and map number 17077 are APPROVED.

2. Appropriation A-18407 through transfer T-1292 authorizes the use of water to irrigate the 50.0 acres of land described below and depicted on map number 17077, which is made a part of this Order. The water may be diverted from Lincoln Creek at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 11 North, Range 3 East of the 6th P.M. in Seward County. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated at a maximum rate of 0.72 cfs. The total combined volume of all appropriations may not exceed 3 acre-feet per irrigated acre per year.

<u>Township 11 North, Range 3 East of the</u>		
<u>6th P.M. in Seward County</u>		<u>Acres</u>
Section 19:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34.2
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.9
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>8.9</u>
	TOTAL	50.0

3. All terms and conditions of appropriation A-18407 remain in effect unless specifically changed by this Order.
4. 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 five consecutive years may result in cancellation of the appropriation.

