

File: Department of Natural Resources
P.O. Box 94676
Lincoln, NE 68509-4676
Filing Fee: \$10.00

**STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES**

APPLICATION FOR A TEMPORARY CHANGE OF LOCATION OF USE AND TO CHANGE THE PURPOSE OF APPROPRIATION TO AUGMENT THE FLOW IN A SPECIFIC STREAM REACH

WHEN APPROPRIATION IS HELD BY IRRIGATION DISTRICT, RECLAMATION DISTRICT, PUBLIC POWER AND IRRIGATION DISTRICT, MUTUAL IRRIGATION COMPANY, CANAL COMPANY OR THE U.S. BUREAU OF RECLAMATION

| | |
|---|--|
| <p>1. Name of Irrigation District, Reclamation District, Public Power and Irrigation District, Mutual Irrigation Company, Canal Company or the U.S. Bureau of Reclamation (hereinafter referred to as "organization"): <u>Cozad Ditch Company</u></p> | <p>For Department Use Only</p> |
| <p>2. a. List the water appropriation subject to this transfer: <u>D-626</u> b. This appropriation has incidental underground storage (IUS)? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes, check all that apply: (See Instructions) <input type="checkbox"/> The IUS portion is to be transferred according to this application <input type="checkbox"/> The IUS portion will be transferred with a separate application <input checked="" type="checkbox"/> Other, explanation is attached.</p> | <p>Date Filed: <u>July 12, 2016</u> Time Filed: <u>8:11 am</u> MOD No.: <u>NEX-5731</u> Appropriation No.: <u>D-626</u> Water Division: <u>1-A</u> Receipt No.: <u>A-4767</u></p> |
| <p>3. Identify the present point of diversion: Headgate of <u>Cozad</u> Canal on <u>Platte River</u> (stream name) in <u>SE 1/4 SW 1/4</u> of Section <u>15</u> Township <u>11</u> North, Range <u>25</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W <u>Dawson</u> County</p> | <p>Beginning: <u>SE 1/4 SW 1/4</u>, Section <u>15</u>, Township <u>11</u> North, Rng. <u>25</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W <u>Dawson</u> County Ending: <u>NW 1/4 NW 1/4</u>, Section <u>1</u>, Township <u>16</u> North, Rng. <u>1</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W <u>Platte</u> County</p> |
| <p>4. This application is for a change in the location and purpose of use. The legal descriptions of the beginning and ending stream reach to which the appropriation is proposed to be transferred for the purpose of augmenting flows: Stream: <u>Platte River</u> Beginning: <u>SE 1/4 SW 1/4</u>, Section <u>15</u>, Township <u>11</u> North, Rng. <u>25</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W <u>Dawson</u> County Ending: <u>NW 1/4 NW 1/4</u>, Section <u>1</u>, Township <u>16</u> North, Rng. <u>1</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W <u>Platte</u> County</p> | |
| <p>5. Check at least one below: <input checked="" type="checkbox"/> Required document attached, and labeled, describing the beneficial use of the water after the proposed transfer, the actual method of transfer, timing and amounts of water proposed to be transferred, and any hydrologic effects that this transfer may have, including effects on other appropriators. (See Instructions) <input checked="" type="checkbox"/> Other attachment(s) included. Please describe: <u>Lease agreements, Maps,</u></p> | |
| <p>6. Check all that apply: <input type="checkbox"/> This application is requesting to transfer a portion of an appropriation that is not currently appurtenant to a specific parcel, and the Department's Order cancelling said portion of appropriation was signed on _____ Attached is a listing of acres that are subject to this transfer, and the location from which they were cancelled, with the history of use for the past 10 years on each tract. <input checked="" type="checkbox"/> This application is requesting to transfer a portion of an appropriation that is currently appurtenant to land. <input checked="" type="checkbox"/> Landowner Consent and History of Use Addendum (use DNR SW Form 200-A) attached for each landowner.</p> | |
| <p>7. a. BEGIN date of temporary change: <u>June 1, 2016</u> b. END date of temporary change: <u>December 31, 2017</u> Number of years: <u>2</u> c. If Lease involved, attach copy of lease agreement. (pursuant to Neb. Rev. Stat. § 46-290 (2))</p> | |
| <p>8. Check one below: <input type="checkbox"/> The Department shall determine the amount of historic consumptive use subject to this transfer. <input checked="" type="checkbox"/> The annual amount of water requested to be transferred to the new location of use is <u>408.3 AF</u>, and an analysis of consumptive use is attached to and made a part of this application.</p> | |
| <p>9. Acknowledgement by Organization I certify that the information included on this form and any addendums and attachments, to the best of my knowledge and belief, is true and accurate. I have initialed and dated all addendums and attachments to this transfer; I agree to pay for the cost of publication of legal notice; and, I agree to pay for the cost to file documentation of an approved temporary transfer in the County Clerk, Register of Deeds office and, if necessary, a portion of hearing costs: <u>[Signature]</u> <u>7-7-16</u> District Board President Signature Date Title</p> | |

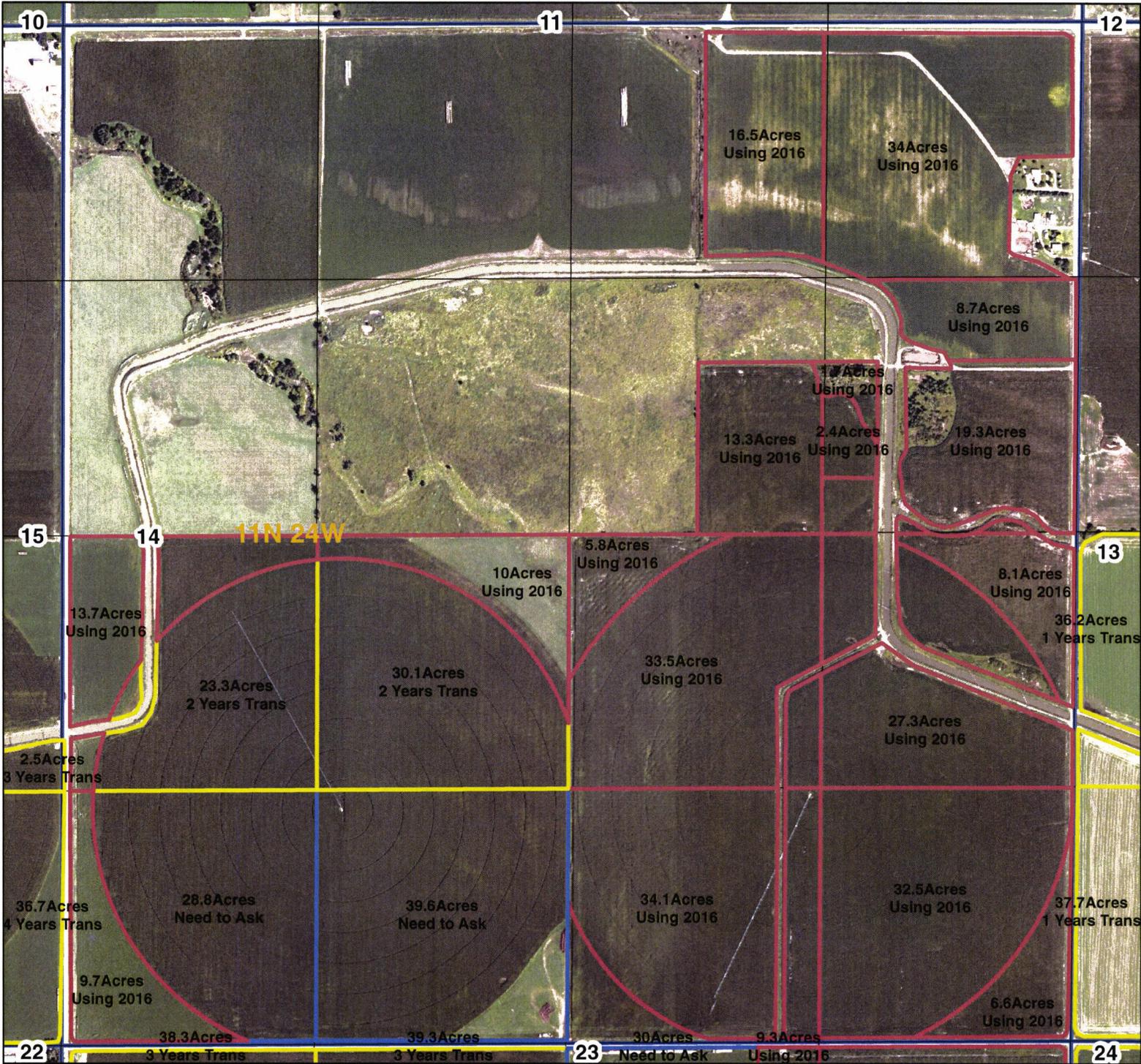
mod-07122016-5731-2pp (14):

CD_WR_Usage_2016

| Appropriat | Usage_2016 | LegalDescr | Rnd_Acres | CPwtCIR | NFCPwtCIF | FarmEff | NFfarmdel | NFCPuse | NFfarmrch |
|------------|------------|------------------------|-----------|---------|-----------|---------|-----------|---------|-----------|
| D626 | 2 | SE SE S20 T11N-R23W | 25.1 | 14 | 10.9 | 0.6 | 38 | 22.8 | 13.7 |
| | 2 | NW SE S20 T11N-R23W | 19 | 17.5 | 13.6 | 0.6 | 35.9 | 21.5 | 12.9 |
| | 2 | SE SE S29 T11N-R23W | 37.5 | 17.5 | 13.6 | 0.6 | 70.9 | 42.6 | 25.5 |
| | 2 | NE NE S34 T11N-R23W | 37.4 | 10.5 | 8.2 | 0.9 | 28.4 | 25.6 | 2.6 |
| | 2 | NE SE S35 T11N-R23W | 0.4 | 17.4 | 13.6 | 0.6 | 0.8 | 0.5 | 0.3 |
| | 2 | NE SE S35 T11N-R23W | 9.6 | 17.4 | 13.6 | 0.6 | 18 | 10.8 | 6.5 |
| | 2 | SE SE S35 T11N-R23W | 23.5 | 19.2 | 15 | 0.6 | 49 | 29.4 | 17.6 |
| | 2 | SE SE S35 T11N-R23W | 12.6 | 19.2 | 15 | 0.6 | 26.2 | 15.7 | 9.4 |
| | 2 | SW SE S35 T11N-R23W | 27.7 | 17.4 | 13.6 | 0.6 | 52.3 | 31.4 | 18.8 |
| | 2 | NW SE S35 T11N-R23W | 13.6 | 17.4 | 13.6 | 0.6 | 25.8 | 15.5 | 9.3 |
| | 2 | SE NE S34 T11N-R23W | 12.6 | 19.2 | 15 | 0.9 | 17.4 | 15.7 | 1.6 |
| | 2 | NW NE S34 T11N-R23W | 16.5 | 10.5 | 8.2 | 0.9 | 12.5 | 11.2 | 1.1 |
| | 2 | SW NE S34 T11N-R23W | 4.2 | 19.2 | 15 | 0.9 | 5.9 | 5.3 | 0.5 |
| | 2 | NE SW S14 T11N-R24W | 30.1 | 10.1 | 7.9 | 0.9 | 22 | 19.8 | 2 |
| | 2 | NW SW S14 T11N-R24W | 23.3 | 10.1 | 7.9 | 0.9 | 17.1 | 15.4 | 1.5 |
| | 2 | NE SE S20 T11N-R23W | 9.2 | 17.1 | 13.3 | 0.6 | 17.1 | 10.3 | 6.2 |
| | 2 | NE SE S20 T11N-R23W | 13.6 | 17.1 | 13.3 | 0.6 | 25.2 | 15.1 | 9.1 |
| | 2 | NW SE S20 | 0.3 | 17.5 | 13.6 | 0.6 | 0.6 | 0.3 | 0.2 |

| Appropriat | Usage_2016 | LegalDescr | Rnd_Acres | CPwtCIR | NFCPwtCIF | FarmEff | NFfarmdel | NFCPuse | NFfarmrch |
|---------------|------------|-------------------------------------|-----------|---------------|-----------|-----------------|-----------|---------|-----------|
| | 2 | T11N-R23W SW SE S20 T11N-R23W | 9 | 17.1 | 13.3 | 0.6 | 16.6 | 10 | 6 |
| | 2 | T11N-R23W SW SE S20 T11N-R23W | 9.7 | 17.1 | 13.3 | 0.6 | 17.9 | 10.7 | 6.4 |
| | 2 | T11N-R23W SE SE S20 T11N-R23W | 13.3 | 14 | 10.9 | 0.6 | 20.2 | 12.1 | 7.3 |
| | 2 | T11N-R23W SE NE S34 T11N-R23W | 23 | 19.2 | 15 | 0.6 | 47.8 | 28.7 | 17.2 |
| | 2 | T11N-R23W NW NE S34 T11N-R23W | 9.1 | 10.5 | 8.2 | 0.6 | 10.4 | 6.2 | 3.7 |
| | 2 | T11N-R23W SW NE S34 T11N-R23W | 25.3 | 19.2 | 15 | 0.6 | 52.7 | 31.6 | 19 |
| | 2 | T11N-R23W SW SE S29 T11N-R23W | 0.4 | 10.1 | 7.9 | 0.6 | 0.4 | 0.2 | 0.1 |
| Sum Rnd_Acres | 406 | Average CPwtCIR | 15.8 | Average | 12.3 | Average FarmEff | 0.7 | | |
| Sum NFfarmdel | 629 | Sum NFCPuse | 408.3 | Sum NFCPwtCIR | 198.5 | Sum NFfarmrch | | | |

COZAD DITCH COMPANY Temporary Transfers



14-11N-24W

Usage - 2016

- Transferred
- Using
- Questions

**STATE OF NEBRASKA
 DEPARTMENT OF NATURAL RESOURCES**

LANDOWNER CONSENT AND HISTORY OF USE FOR EACH TRACT

ADDENDUM TO

**APPLICATION FOR A TEMPORARY CHANGE OF LOCATION OF USE AND TO CHANGE THE
 PURPOSE OF APPROPRIATION TO AUGMENT THE FLOW IN A SPECIFIC STREAM REACH**

**WHEN APPROPRIATION IS HELD BY IRRIGATION DISTRICT, RECLAMATION DISTRICT, PUBLIC POWER AND IRRIGATION DISTRICT,
 MUTUAL IRRIGATION COMPANY, CANAL COMPANY OR THE U.S. BUREAU OF RECLAMATION**

1. a. List below the number of acres in each forty acre subdivision to which the appropriation is now or was appurtenant (see instruction sheet) and which will be subject to this transfer. Attach aerial photography showing the location of land listed below:

| SEC. | TWP. | RANGE | NW¼ | | | | NE¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|------|--------|
| | | | NW¼ | NE¼ | SW¼ | SE¼ | NW¼ | NE¼ | SW¼ | SE¼ | NW¼ | NE¼ | SW¼ | SE¼ | NW¼ | NE¼ | SW¼ | SE¼ | |
| 20 | 11 | 23 | | | | | | | | | | | | | 19.3 | 22.8 | 18.7 | 38.4 | 99.2 |
| 35 | 11 | 23 | | | | | | | | | | | | | 13.6 | 10 | 27.7 | 36.1 | 87.4 |
| | | | | | | | | | | | | | | | | | | | |

1. b. The above listed land has been irrigated using: (Circle all that apply) A. Surface water B. Groundwater C. Other **Total: 186.6**

2. List the history* of water use for the last ten years for the tracts listed above:
 Attach additional history information if needed.

| Year | IR Begin and End Dates | Acres Irrigated | Crop Type | Maximum Surface Water Diversion Rate (cfs or gpm) | Annual Surface Water Volume (gallons or acre-feet) |
|------|------------------------|-----------------|---|---|--|
| | | | | | |
| | | | 2 year transfer on 35-11-23w 20-11-23w | | |
| | | | using 13.5 in 35-11-23w | | |
| | | | | | |

*The Department may require additional information about the history of the project.

3. Name and address of each mortgage holder, deed of trust holder or other equivalent security interest for land now under permit.

(pursuant to *Neb. Rev. Stat. § 46-290(1)(b)(v)*)
 (If more than one, please use DNR Form 962-4). Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____
 Telephone Number: (____) _____ Cell Phone: (____) _____
 e-mail address: _____

4. I/We NEBRASKA FARM PRODUCTS C/O DAVID BURKHOLDER
 (print name(s) of landowner(s))

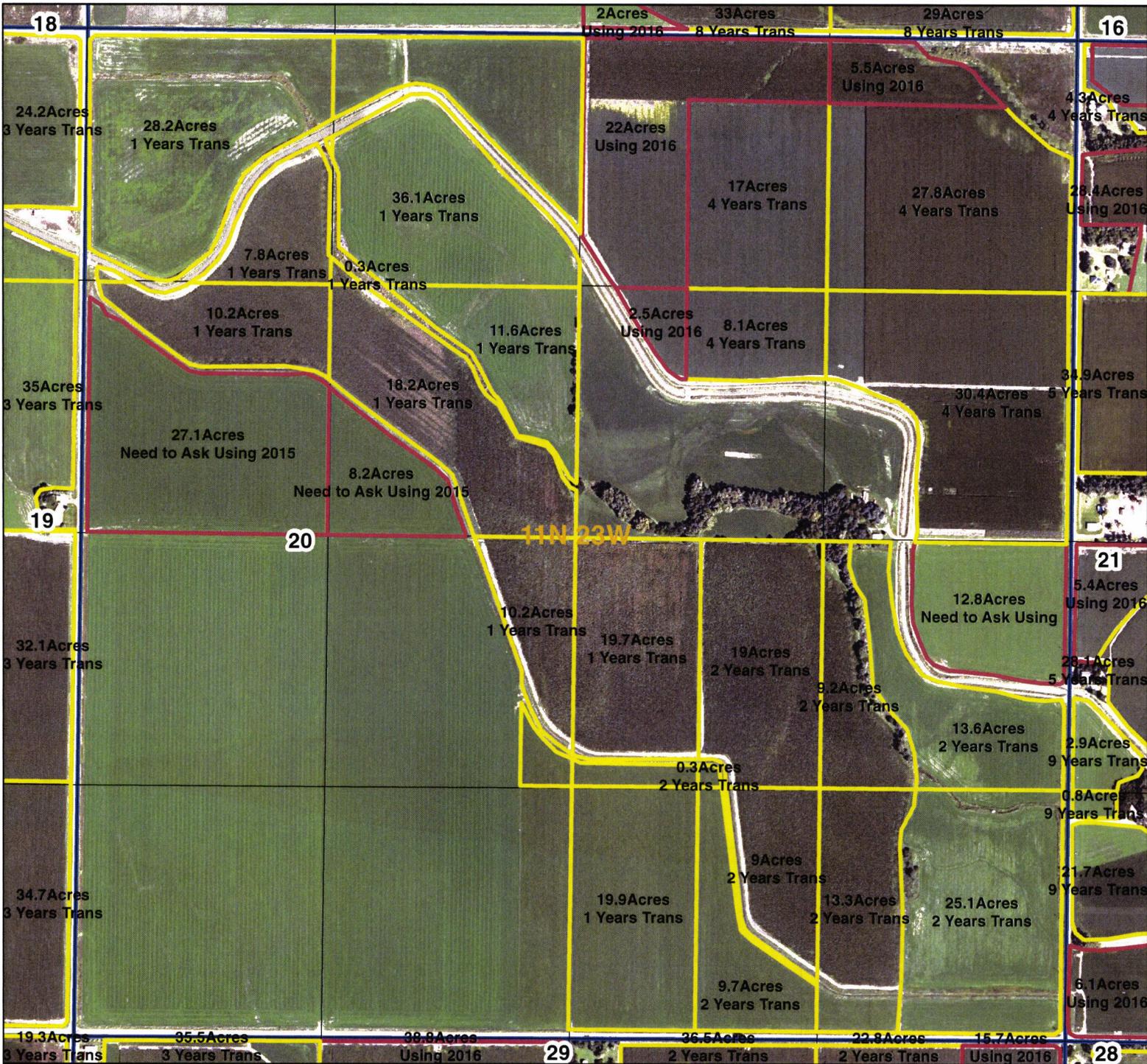
do hereby certify that I am/we are the owner(s) of the land listed above under surface water appropriation D626
 I/We do hereby consent to a change in location and use of appropriation for the above portion of water appropriation as proposed in the attached transfer application filed by the organization named on page 1 of this application, to which this page is an addendum.
 I/We understand that this transfer does not relieve me/us from any past or future obligations for operation, maintenance and other tolls, charges or assessments that may be due to the organization named on page 1 of this application.

Signatures of landowners

 Date 4-20-16 Address PO BOX 88
COZAD NE 69130

 Date _____ Address _____

COZAD DITCH COM. ANY Temporary Transfers



20-11N-23W

Usage - 2016

- Transferred
- Using
- Questions

COZAD DITCH COMPANY

Temporary Transfers



35-11N-23W

Usage - 2016

- Transferred
- Using
- Questions

**STATE OF NEBRASKA
 DEPARTMENT OF NATURAL RESOURCES**

LANDOWNER CONSENT AND HISTORY OF USE FOR EACH TRACT

ADDENDUM TO

**APPLICATION FOR A TEMPORARY CHANGE OF LOCATION OF USE AND TO CHANGE THE
 PURPOSE OF APPROPRIATION TO AUGMENT THE FLOW IN A SPECIFIC STREAM REACH**

**WHEN APPROPRIATION IS HELD BY IRRIGATION DISTRICT, RECLAMATION DISTRICT, PUBLIC POWER AND IRRIGATION DISTRICT,
 MUTUAL IRRIGATION COMPANY, CANAL COMPANY OR THE U.S. BUREAU OF RECLAMATION**

1. a. List below the number of acres in each forty acre subdivision to which the appropriation is now or was appurtenant (see instruction sheet) and which will be subject to this transfer. Attach aerial photography showing the location of land listed below:

| SEC. | TWP. | RANGE | NW¼ | | | | NE¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| | | | NW¼ | NE¼ | SW¼ | SE¼ | |
| 29 | 11 | 23 | | | | | | | | | | | | | | | .4 | .4 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

1. b. The above listed land has been irrigated using: (Circle all that apply) A. Surface water B. Groundwater C. Other **Total:** .4

2. List the history* of water use for the last ten years for the tracts listed above:
 Attach additional history information if needed.

| Year | IR Begin and End Dates | Acres Irrigated | Crop Type | Maximum Surface Water Diversion Rate (cfs or gpm) | Annual Surface Water Volume (gallons or acre-feet) |
|------|------------------------|-----------------|-----------|---|--|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

*The Department may require additional information about the history of the project.

3. Name and address of each mortgage holder, deed of trust holder or other equivalent security interest for land now under permit.

(pursuant to *Neb. Rev. Stat. § 46-290(1)(b)(v)*)
 (If more than one, please use DNR Form 962-4): Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____
 Telephone Number: (____) _____ Cell Phone: (____) _____
 e-mail address: _____

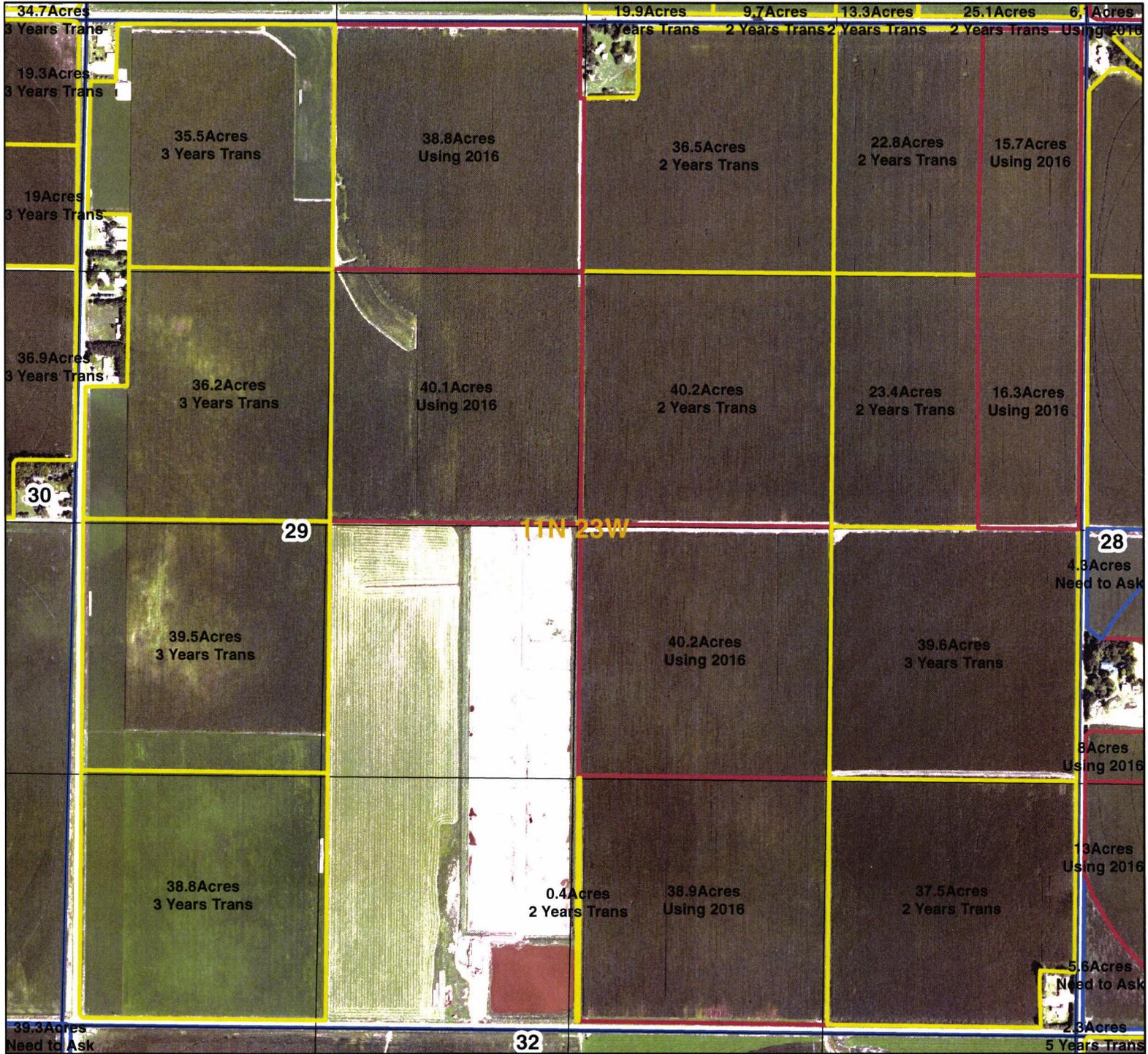
4. I/We HI-GAIN FEEDLOT INC (print name(s) of landowner(s))

do hereby certify that I am/we are the owner(s) of the land listed above under surface water appropriation D626
 I/We do hereby consent to a change in location and use of appropriation for the above portion of water appropriation as proposed in the attached transfer application filed by the organization named on page 1 of this application, to which this page is an addendum.
 I/We understand that this transfer does not relieve me/us from any past or future obligations for operation, maintenance and other tolls, charges or assessments that may be due to the organization named on page 1 of this application.

Signatures of landowners: Hi Gain Feedlot Inc. President Date 4-14-16 Address PO-BOX 267
Jeff R. Hoff Date _____ Address COZAD NE 69130
 Date _____ Address 401 1ST STREET
Gothenbury NE 69138

COZAD DITCH COMPANY

Temporary Transfers

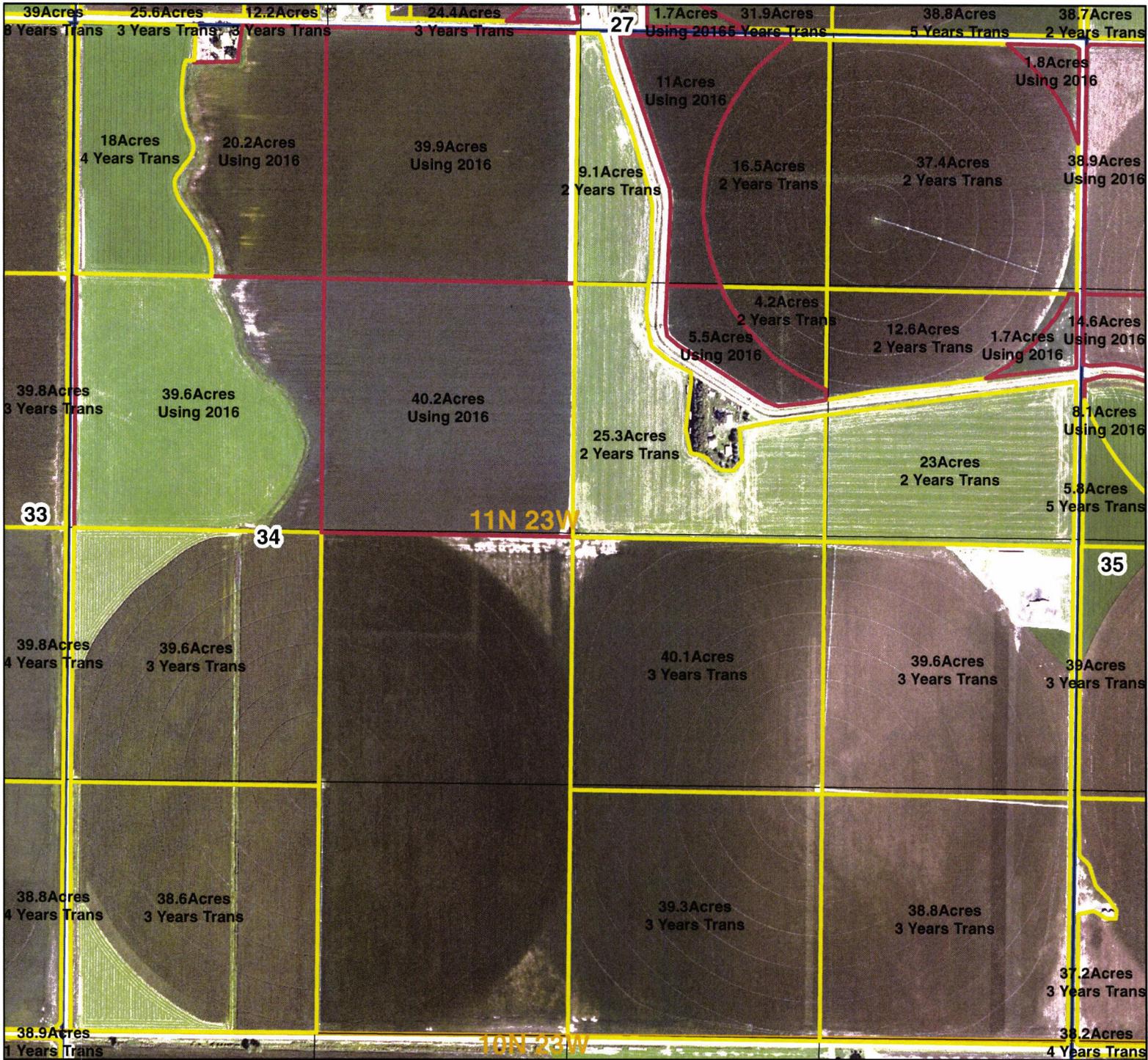


29-11N-23W

Usage - 2016

- Transferred
- Using
- Questions

COZAD DITCH COMPANY Temporary Transfers



34-11N-23W

Usage - 2016

- Transferred
- Using
- Questions

**STATE OF NEBRASKA
 DEPARTMENT OF NATURAL RESOURCES**

LANDOWNER CONSENT AND HISTORY OF USE FOR EACH TRACT

ADDENDUM TO

**APPLICATION FOR A TEMPORARY CHANGE OF LOCATION OF USE AND TO CHANGE THE
 PURPOSE OF APPROPRIATION TO AUGMENT THE FLOW IN A SPECIFIC STREAM REACH**

**WHEN APPROPRIATION IS HELD BY IRRIGATION DISTRICT, RECLAMATION DISTRICT, PUBLIC POWER AND IRRIGATION DISTRICT,
 MUTUAL IRRIGATION COMPANY, CANAL COMPANY OR THE U.S. BUREAU OF RECLAMATION**

1. a. List below the number of acres in each forty acre subdivision to which the appropriation is now or was appurtenant (see instruction sheet) and which will be subject to this transfer. Attach aerial photography showing the location of land listed below:

| SEC. | TWP. | RANGE | NW¼ | | | | NE¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS | |
|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|------|
| | | | NW¼ | NE¼ | SW¼ | SE¼ | | |
| 29 | 11 | 23 | | | | | | | | | | | | | | | | | 37.5 | 37.5 |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |

1. b. The above listed land has been irrigated using: (Circle all that apply) A. Surface water B. Groundwater C. Other **Total: 37.5**

2. List the history* of water use for the last ten years for the tracts listed above:
 Attach additional history information if needed.

| Year | IR Begin and End Dates | Acres Irrigated | Crop Type | Maximum Surface Water Diversion Rate (cfs or gpm) | Annual Surface Water Volume (gallons or acre-feet) |
|------|------------------------|-----------------|-----------|---|--|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

2 year transfer

*The Department may require additional information about the history of the project.

3. Name and address of each mortgage holder, deed of trust holder or other equivalent security interest for land now under permit. (pursuant to Neb. Rev. Stat. § 46-290(1)(b)(v))
 (If more than one, please use DNR Form 962-4): Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____
 Telephone Number: (____) _____ Cell Phone: (____) _____
 e-mail address: _____

4. I/We SEARLS LLC C/O SAM SEARLS
(print name(s) of landowner(s))
 do hereby certify that I am/we are the owner(s) of the land listed above under surface water appropriation D626
 I/We do hereby consent to a change in location and use of appropriation for the above portion of water appropriation as proposed in the attached transfer application filed by the organization named on page 1 of this application, to which this page is an addendum.
 I/We understand that this transfer does not relieve me/us from any past or future obligations for operation, maintenance and other tolls, charges or assessments that may be due to the organization named on page 1 of this application.

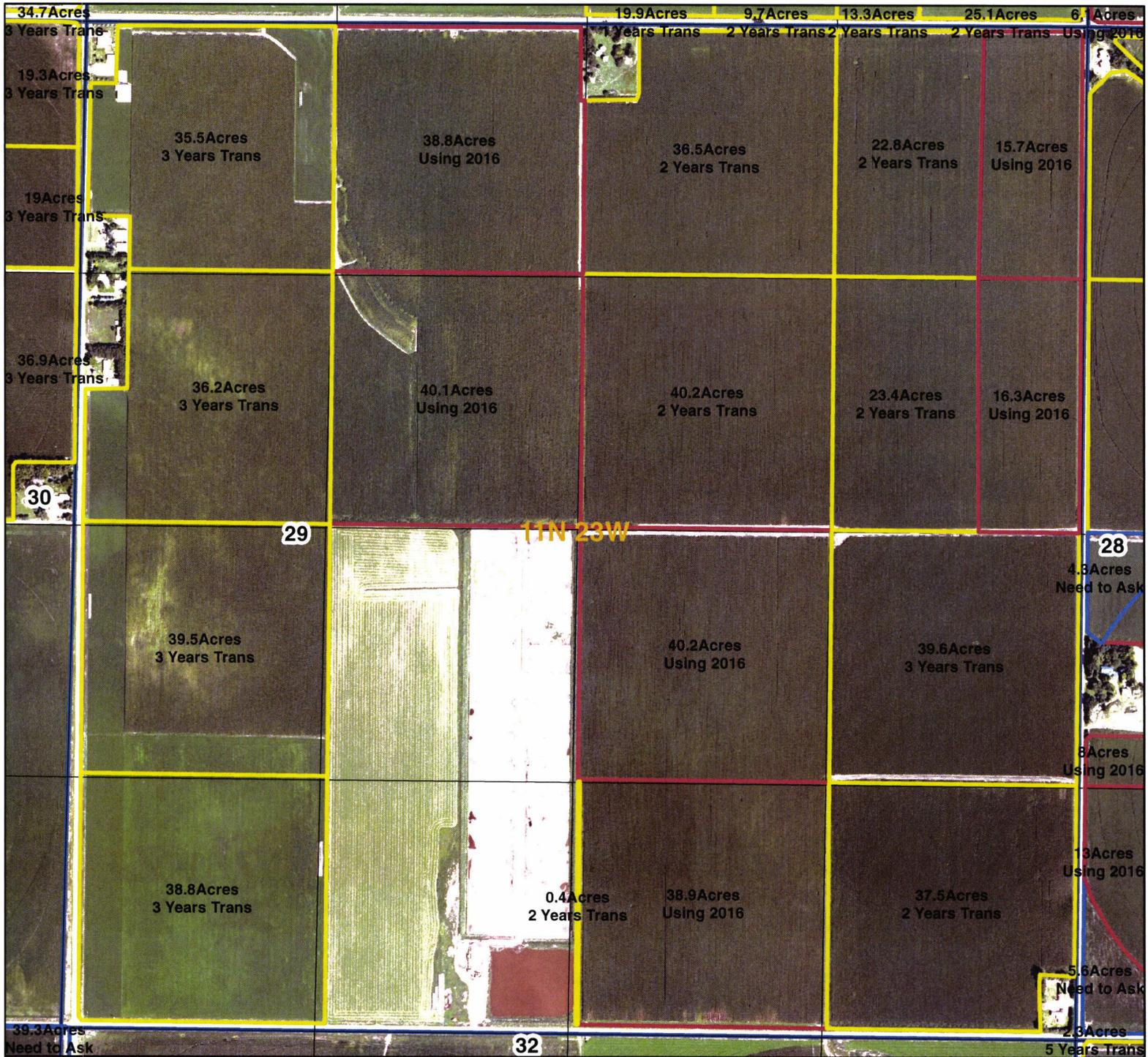
Signatures of landowners

 Date _____ Address PO BOX 8
EUSTIS NE 69028

 Date _____ Address _____

COZAD DITCH COMPANY

Temporary Transfers



29-11N-23W

Usage - 2016

- Transferred
- Using
- Questions