STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-5039 AND MAP 18907

FOR WATER APPROPRIATION A-13773

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13773 is held by Patricia Keim.

2. Appropriation A-13773 has a priority date of August 28, 1975, and authorizes the use of water for irrigation of the 25.3 acres of land described below. The water may be diverted from Weeping Water Creek at a point of diversion located in the NE¼SE¼ of Section 22, Township 10 North, Range 13 East of the 6th P.M. in Cass 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 0.36 cfs (162 gallons per minute).

Township 10 North, Range 13 East of the 6th P.M. in Cass County		Acres
Section 22:	SE¼NE¼	1.8
	NW¼SE¼	5.5
	NE¼SE¼	10.5
	SW¼SE¼	2.7
	SE¼SE¼	4.8
	TOTAL	25.3

3. On April 21, 2014, Rich Hickman, on behalf of Patricia C. Keim, filed application EXT-5039 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-13773.

4. On October 21, 2014, Patricia C. Keim filed map number 18907 showing the land proposed to be irrigated under appropriation A-13773 through transfer EXT-5039.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-5039 for a permit for an expedited transfer of the location of use and map number 18907 are APPROVED.

2. Appropriation A-13773 through transfer EXT-5039 authorizes the use of water to irrigate 25.3 acres of land described below and depicted on map number 18907, which is made a part of this Order. The water may be diverted from Weeping Water Creek at a point of diversion located on the right bank of the stream in the NE¼SE¼ of Section 22, Township 10 North, Range 13 East of the 6th P.M. in Cass County, as depicted on map number 18907. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.36 cfs (162 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year; not to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

Township 10 North, Range 13 East of the 6th P.M. in Cass County		Acres
Section 27:	NW¼NE¼	10.3
	NE¼NE¼	15.0
	TOTAL	25.3

3. All terms and conditions of appropriation A-13773 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 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

January 28, 2015

James C. Schneider, Ph.D.
Acting 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 Title 454 Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 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. Copies of this Order and map number 18907 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18907 were mailed on January 28, 2015, to the following:

Patricia C. Keim
516 Mill Road
Goldsboro, North Carolina 27534

Rich Hickman
Farmers National Company
P.O. Box 460970
Papillion, Nebraska 68046