Ann Diers

From: Ann Diers [adiers@dnr.state.ne.us]

Sent: Friday, January 13, 2006 4:36 PM

To: Susan France (sfrance@dnr.state.ne.us); Ann Bleed (ableed@dnr.state.ne.us); Ann Diers

(adiers@dnr.state.ne.us); Brian Barels (blbarel@nppd.com); Dennis Strauch

(dstrauch@earthlink.net); Don Kraus (dkraus@cnppid.com); Steve Gaul (sgaul@dnr.state.ne.us);

'Tom Schwarz'; 'Dave Sands'; 'Frank Albrecht'; 'James Nelson'; 'Larry Hutchinson'; 'Steve

Huggenberger'

Subject: DNR Form 962-3 - 1-05-06-ApplicationForAPermitForAnExpeditedTransferOfTheLocationOfUse-

Appendix K.doc

Good afternoon:

Attached is the draft of a Department of Natural Resources Form for a Permit for an Expedited Transfer of the Location of Use. This goes with the Rule that you have already reviewed and approved.

The other Form is pursuant to your request to have one form for irrigation to irrigation transfers by irrigation districts. This form has not been fully reviewed by DNR, but we felt it would be appropriate to get it out to this group for discussion at our meeting on Tuesday at 9:30 in Kearney.

If you have any questions, please pass them along to Ann Bleed or Susan France. Thanks.

Ann

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPLICATION FOR A NON-EXPEDITED CHANGE OF LOCATION OF USE

FROM IRRIGATION TO IRRIGATION WITHIN AN IRRIGATION DISTRICT/RECLAMATION DISTRICT, PUBLIC POWER AND IRRIGATION DISCTRICT OR MUTUAL CANAL OR IRRIGATION COMPANY

											,		FOR	DI	EPART	MEN	T US	SE C	NLY		
1.	Name and Address of Appropriator of Record:											Filed in the office of the Department of Natural Resources									
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	Zip Code Telephone Number () Cell Phone Number ()											20	nsfer N p No.	0,							
											4	71 188	ter Divi	ision							
	e-mail address												Receipt No. Amount								
2.	List the water appropriation number that this application proposes to modify:											1000.00									
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4.	The le	gal descrip	otion of			hich the a															
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				N	W¼		/ill be u	sed after	E1/4	T		SW		QE.	· · · · · · · · · · · · · · · · · · ·	SE			TOTALS		
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		RANGE		N	W¼		/ill be u	sed after	E1/4	T				SE	NW ¼	7					
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SEC	TWP.	RANGE	NW 14	NE X	SW 14	SE 4	/ill be u	sed after	E1/4	T				SE	NW ¼	7	SW 1/4				
SEC *Add	TWP.	RANGE.	NW ¼	NE 14	SW 4	partment.	ill be u	sed after. NI NE 14	E1/4 SW 1/4	SE 1/4	NW 1/4	NE ¼		SE	NW ¼	7	SW 1/4	SE 1/4			
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*Add	itional sh Amour Rate	neets may be to the Cub:	e obtaine er approic feet p	Ne vi	the Deption procond	partment. oposed t	o be ch	nanged to Annual urrent lo	Sw 4 Sw 4 O a new Volumeration	v locatione of use?	nw ¼	NE ¼	SW 1/4			NE ¼	SW 1/4	SE ¼	TOTALS acre-feet		

8.	Are there other sources of available water at the proposed location of use? NO YES If yes, describe and state whether any provisions have been made to prevent the use of a new source or increased use from an existing source:
9.	If the proposed transfer is for purpose of increasing the quantity of water available for use pursuant to another appropriation, what is the other water appropriation:
10.	Name and address of each mortgage holder or deed of trust holder for land now under permit (If more than one, please use DNR form 962-4).
	Zip Code Telephone Number (
11.	For lands listed in 5 above, check all boxes that apply: All lands have been cultivated The lands contain no native grass None of the lands have been cultivated
12.	The present point of diversion is or identified as follows: Pump Headgate of Stream:
	1/4 1/4 Section Township North, Range E W County
13.	If applicable, the proposed point of diversion is identified as follows: Pump Headgate of Stream:
	1/4 1/4 Section Township North, Range E W County
14.	This is a request for:
	Permanent Change
	☐ Temporary Change a. If no lessee involved, state proposed duration: Years.
	b. If lessee involved, attach copy of lease agreement.
15.	 Provide attachments: a. If this application proposes a change in the point of diversion, describe any anticipated adverse impacts on other water right holders or ground water users, and the proposed mitigation plan for such described impacts. b. Current aerial photographs marked to show lands described in number 4 and lands described in number 5 above. c. The names, addresses and signatures of the landowners who own land described in paragraph 4 shall be submitted on DNR Form 962-6 with this application indicating they agree to have the water appropriation transferred off their land. d. Provide certification (DNR Form 962-16) from the landowners(s) that water under the appropriation has been used to irrigate all the lands within the last five years, or that excusable reasons as specified in Neb. Rev. Stat. § 46-229.04 (Reissue 2004) apply. Be specific as to all lands in number 4 above. e. If the application requests a change in location of use for incidental underground water storage outside the approved boundary, provide sufficient hydrologic information to identify the extent and scope of the underground water storage and
16.	naturally occurring ground water, including but not limited to the information described in Department rules 457 N.A.C. 16.002.03A-H. I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief
_	such information is true, complete and accurate.
	Date Signature of Appropriator of Record
	State of Nebraska Department Natural Resources 301 Centennial Mall South P.O. Box 94676 Lincoln, Nebraska 68509 (402) 471-2363

STATE OF NEBRASKA DEPARTMENT OF NATURAL RESOURCES FOR A PERMIT FOR AN EXPEDITED TRANSFER OF THE LOCATION OF USE

1. Name and address of appropriator of record: Tiled in the office of the Dep at on on transfer No.	artment of Natural Resources a.m./p.m. , 20 Amount
On Transfer No. Zip Code Telephone Number () Map No. Cell Phone Number () Water Division e-mail address: Receipt No. 2. Name and address of each mortgage holder or deed of trust holder for land now under permit: (If more than one, please use DNR form 962-4)	, 20
Zip Code Telephone Number () Map No. Cell Phone Number () Water Division e-mail address: Receipt No. 2. Name and address of each mortgage holder or deed of trust holder for land now under permit: (If more than one, please use DNR form 962-4)	
Zip Code Telephone Number () Map No. Cell Phone Number () Water Division e-mail address: Receipt No. 2. Name and address of each mortgage holder or deed of trust holder for land now under permit: (If more than one, please use DNR form 962-4)	Amount
Cell Phone Number () Water Division e-mail address: Receipt No. 2. Name and address of each mortgage holder or deed of trust holder for land now under permit: (If more than one, please use DNR form 962-4)	Amount
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2. Name and address of each mortgage holder or deed of trust holder for land now under permit: (If more than one, please use DNR form 962-4)	Amount
(If more than one, please use DNR form 962-4)	
	*
Zip Code Telephone Number ()	
Cell Phone Number ()	
e-mail address:	
3. For rights not held in the name of an irrigation district, reclamation district, public power and irrigation district, or company, the names, addresses and titles of tenants and other persons who should receive water administration not shortage concerning this appropriation. If the appropriator is not the landowner, the landowner must be listed he application. (If more than one, please use DNR form 962-7.)	tices during times of
Zip Code Telephone Number ()	·
Cell Phone Number (
e-mail address:	
Check one:	
☐ Landowner ☐ Tenant ☐ Farm Manager ☐ Power of Attorney ☐ Other	
4. List the water appropriation number that this application proposes to modify:	
5.A. The present point of diversion is identified as follows:	
Pump Headgate of	
	County
B. This transfer will result in a change in the point of diversion Yes No	
6. Amount of water requested to be transferred: Rate Total Annual Volume	
7. Are there other sources of water available at the original location of use? Yes No	
If Yes, describe and state whether any provisions have been made to prevent the use of a new source or increased use	from an existing course
	an ombing source.

																	Divi	roim	
8.	Legal description of land currently under permit*:																		
				NW¹/4					1/4			SW	1/4		SE¼				TOTALS
SEC.	TWP.	RANGE	NW¼	NE¼	SW¼	SE¼	NW¼	NE¼	SW¼	SE¼	NW¼	NE¼	SW¼	SE¼	NW4	NE¼	SW¼	SE¼	TOTALS
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L	TOTAL:																		
	*Additional sheets may be obtained from the Department.																		
*Additio																			
9.	Legal	description	n of land	d where	water	will be	used a	fter pro	posed t	ransfe	r*:								
er.c	TWP.	RANGE		NW			NE				SW	1/4			SE	21/4		TOTALS	
SEC.	IWP.	KANGE	NW¼	NE¼	SW¼	SE¼	NW¼	NE¼	SW¼	SE¼	NW¼	NE¼	SW¼	SE¼	NW¼	NE¼	SW1/4	SE¼	IOIALS
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10.	For la	inds listed	l in 9 ab	ove. ch	eck al	the bo	exes th	at appl	V: .										
		All lands		•					-	tha la	nds have	hoon o	1tir.zot/	v4					
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		The lands	contain	no nativ	ve grass				lone of	the lar	ids have	been c	ultivate	d					
11	The lands contain no native grass None of the lands have been cultivated 11. All lands listed for paragraphs 8 and 9 are under the same ownership or within the same irrigation district, reclamation district,																		
												me sa		ganoi	i distile	¬ ·		i distri	ા,
•	public power and irrigation district, or mutual irrigation or canal company? Yes No																		
12.	Wate	r has been	diverte	d unde	r the a	propri	ation a	t some	time o	luring	the las	t five v	ears to	irrie	ate the	same	numbe	r of ac	res or
12.	more	acres than	i the nu	mber o	f acres	propo	sed to l	oe irrig	ated af	ter th	e transf	er.							,
	more acres than the number of acres proposed to be irrigated after the transfer. YES NO																		
	If no, and lands have been enrolled in a government program, provide documentation of the enrollment. (If Applicant is a district or																		
	an irrigation or canal company, a separate certificate-DNR Form 962-?-must be completed and signed by each landowner owning																		
	lands described in paragraph 8.)																		
12																			
15.	13. Current use permitted (check one):																		
	Ш	Irrigation			rrigatio	n and I	nciden	tal											
1.4	This	s a (check	one).					············											
14.			•	·															
	Ш	Permanen	t Transfe	er		empor	ary Tra	nsfer	If Temp	orary	Transfer	, indica	ite prop	osed c	luration	of trans	fer		Years
									If lecces	invol	ved, atta	ch con	v of leav	a nore	ament				
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15.	All fac	cilities use	d are ow	med or	operate	d by th	e applio	cant.											
		Yes		\sqcup N	lo	If No,	provide	docun	nentatio	on tha	t the ow	ner or	operato	or of t	he facili	ities ag	rees to	transfe	er.
1.0																			
16.	11 the	proposed	transfe	er is to	r incre	asıng	ine qua	antity (of wate	er ava	ilable f	or use	pursu	ant to	anoth	er app	ropria	tion,	
	what i	s the other	water a	ppropr	iation?														
17.	I cert	fy that I	am fam	iliar wi	th the	inforn	ation	contair	ed in 1	his at	pplicati	on and	that t	o the	hest of	my kr	owled	ge and	
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	such i	nformatio	n is true	, compl	ete and	l accura	ate.												
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A non-refundable filing fee of \$10 payable to the Department of Natural Resources must accompany this form. Mail to:

o the Department of Natural Res State of Nebraska Department of Natural Resources 301 Centennial Mall South P.O. Box 94676 Lincoln, Nebraska 68509 (402) 471-2363



FAX TRANSMISSION

STATE OF NEBRASKA
Department of Natural Resources
P.O. Box 94676

Lincoln, Nebraska 68509-4676

Phone: (402) 471-2363 Fax: (402) 471-2900

Date: January 13, 2006

Pages: 6 including cover

From: Ann Diers

No one in office

To: Al Schmidt

Fax: (308) 789-6401

 $\downarrow \downarrow \downarrow \downarrow$ message $\downarrow \downarrow \downarrow \downarrow$