

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

APPROVAL OF EXPEDITED TRANSFER EXT-11905 FOR WATER APPROPRIATION A-8873

AND MAP NUMBER 21770

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-8873 is held by Philip E. Swantek and Marc A. Swantek.
2. Appropriation A-8873 has a priority date of **October 1, 1956**, and authorizes the use of water for irrigation of the 127.8 acres of land described below. Water may be diverted from **the Loup River** through the Columbus-Genoa Canal located in the **NW $\frac{1}{4}$ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance County**. Water may be withdrawn from the canal at points of diversion located on both banks in the **SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 07, Township 17 North, Range 03 West of the 6th P.M. in Platte County**. The total rate of diversion from all points of diversion shall not exceed **1.32 cubic feet per second (cfs)**, based on a maximum rate of one cfs for each 97 acres irrigated.

Township 17 North, Range 03 West of the 6 th P.M. in Platte County	Acres
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Section 07: SW $\frac{1}{4}$ NE $\frac{1}{4}$	30.7
SE $\frac{1}{4}$ NE $\frac{1}{4}$	24.3
NW $\frac{1}{4}$ SE $\frac{1}{4}$	30.8
NE $\frac{1}{4}$ SE $\frac{1}{4}$	9.6
SW $\frac{1}{4}$ SE $\frac{1}{4}$	4.9
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>27.5</u>

TOTAL	127.8
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3. On July 10, 2026, Philip Swantek filed application EXT-11905 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-8873.
4. On August 14, 2026, Philip Swantek filed map number 21770 showing the land proposed to be irrigated under appropriation A-8873 through transfer EXT-11905.

ORDER

IT IS HEREBY ORDERED

1. Application EXT-11905 for a permit for an expedited transfer of the location of use and map number 21770 are **APPROVED**.

2. Authorized Land for Irrigation

Appropriation A-8873, as modified by transfer EXT-11905, authorizes the use of water to irrigate 127.8 acres of land described below and depicted on map number 21770, which is made a part of this Order. Water may be diverted from **the Loup River** through the Columbus-Genoa Canal located in the **NW¼ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance County.** Water may be withdrawn from the canal at points of diversion located on both banks in the **SE¼NE¼, NE¼SE¼ and SW¼SE¼ of Section 07, Township 17 North, Range 03 West of the 6th P.M. in Platte County.** The total rate of diversion from all points of diversion shall not exceed **1.32 cubic feet per second (cfs)**, based on a maximum rate of one cfs for each 97 acres irrigated. The total combined volume shall not exceed **three acre-feet per irrigated acre per year**, nor shall it exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

Township 17 North, Range 03 West of the 6 th P.M. in Platte County		Acres
Section 07:	SW¼NE¼	28.4
	SE¼NE¼	19.4
	NW¼SE¼	28.2
	NE¼SE¼	24.6
	SW¼SE¼	0.2
	SE¼SE¼	27.0
TOTAL		127.8

3. Terms & Conditions of Previous Order(s)

All terms and conditions of previous Orders for appropriation A-8873 remain in effect unless specifically changed by this Order.

4. Measuring Device

A measuring device, approved by the Department and at the Applicant's expense, may be required if so ordered by the Department.

5. Ongoing Statutory Requirements

The appropriator must:

- 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 applicable laws, Department Orders, or the terms of this Order may result in cancellation, suspension, administrative penalties, or criminal prosecution.

Under Nebraska law, failure to use a portion or all of a perfected appropriation for **more than five consecutive years** for its approved purpose may result in its cancellation.

This appropriation **does not guarantee** water availability. Senior appropriations have legal priority. If insufficient water is available, junior appropriators may be closed. Appropriators may request enforcement action by contacting the local field office.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



September 2, 2026

Matthew T. Manning, PE, JD
Chief Water Officer

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21770 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 21770 were mailed to the following:

Philip E. Swantek
40353 North 480 Street
Genoa, Nebraska 68640

Marc A. Swantek
38713 Hwy L 63A
Genoa, Nebraska 68640