

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF MAP 19540 FOR WATER APPROPRIATION A-2274

WATER DIVISION 2-E

BACKGROUND

1. On June 20, 1932, Mike O'Connell filed in the Department of Roads and Irrigation application A-2274 for a permit to appropriate water for the purpose of irrigation of land located in the NW $\frac{1}{4}$  of Section 17, Township 33 North, Range 55 West of the 6<sup>th</sup> P.M. in Sioux County.
2. On June 1, 1934, application A-2274 was approved for an amount not to exceed 0.35 cubic foot per second.
3. On December 18, 1934, the Department of Roads and Irrigation approved map number 4308 for irrigation of 24 acres of land located in the NW $\frac{1}{4}$  of Section 17, Township 33 North, Range 55 West of the 6<sup>th</sup> P.M. in Sioux County.
4. A review of correspondence in the file indicates that in 1936 an Office Memorandum states the land authorized for irrigation under A-2274 is located in the NE $\frac{1}{4}$  of Section 17 rather than the NW $\frac{1}{4}$  of Section 17 of said legal description.
5. The Department of Natural Resources (Department) mapping staff, using current mapping technology, has prepared map number 19540 depicting the land authorized for irrigation under A-2274.

ORDER

IT IS HEREBY ORDERED:

1. Map number 19540 is APPROVED.
2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-2274 as depicted on map number 19540 which is made a part of this Order.

Township 33 North, Range 55 West of the 6 <sup>th</sup> P.M. in Sioux County		Acres
Section 17:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	18
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>6</u>
	TOTAL	24

3. Appropriation A-2274 has a priority date of June 20, 1932, and authorizes the appropriator the use of 0.35 cubic foot per second (cfs) (157 gallons per minute) of water for irrigation of the 24 acres of land described above. The water may be diverted from Warbonnet Creek at a point of diversion located on the right bank of the stream in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 08, Township 33 North, Range 55 West of the 6<sup>th</sup> P.M. in Sioux County, as depicted on map number 19540.
4. The appropriator is bound by all terms and conditions of the approval of application A-2274.
5. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are 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 and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected 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. If in the future you are not able to divert sufficient amounts of water, and if there are junior appropriations upstream, you may call for water by contacting your local field office.

Nebraska law provides that waters previously appropriated for power purposes may be taken for irrigation purposes upon due and fair compensation.

DEPARTMENT OF NATURAL RESOURCES

June 24, 2016

  
Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 19540 were provided to the Department's field offices in Bridgeport and Crawford, Nebraska. Copies of this Order and map number 19540 were mailed on June 24, 2016, to the following:

Marvin Wade and Lynn Wasserburger  
1465 Hat Creek Road  
Harrison, Nebraska 69346

James P. and Francie N. Hartman  
740 County Road 70  
Hemingford, Nebraska 69348

Larry M. and Lucinda A. Glasshoff  
21467 Brentwood Road  
Elkhorn, Nebraska 68022

Joel D. Collins  
1923 North Diamond Street  
Orange, California 92867

Hazel B. Anderson  
2413 Chancery Court  
Rapid City, South Dakota 57702

Terri L. Collins  
P.O. Box 111015  
Big Bear Lake, California 92315