

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-4373

WATER DIVISION 1-D

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4373 is currently held by Rebecca R. Harling Trustee.
2. Appropriation A-4373 has a priority date of November 24, 1948, and authorizes the use of water for irrigation of the 167 acres of land described below. The water may be diverted from the West Fork of the Big Blue River at point of diversion located on the east bank of the stream in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 26, Township 9 North, Range 2 East of the 6<sup>th</sup> P.M. in Seward County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 140 acres irrigated at a maximum rate of 1.19 cfs. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 9 North, Range 2 East of the		
6 <sup>th</sup> P.M. in Seward County		Acres
Section 23:	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
Section 26:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>17</u>
	TOTAL	167

3. Darryl L. & Barbara K. Novak filed a Notice of Change of Ownership indicating they are the owners of a portion of the land authorized to be irrigated by appropriation A-4373.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-4373 is divided into two appropriations, A-4373A and A-4373B.

2. Appropriation A-4373A is held by Darryl L. & Barbara K. Novak.

A. They are allowed to divert 0.62 cfs (278 gallons per minute) from the West Fork of the Big Blue River to irrigate the 87 acres of land described below and as depicted on map number 17484 which is hereby made a part of this Order. The total rate that water may be diverted shall not exceed one cfs per 140 acres irrigated. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 9 North, Range 2 East of the 6 <sup>th</sup> P.M. in Seward County		Acres
Section 26:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>17</u>
	TOTAL	87

B. All terms and conditions of appropriation A-4373 remain in effect unless specifically changed by this Order.

C. The point of diversion remains on the east bank of the West Fork of the Big Blue River in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 26, Township 9 North, Range 2 East of the 6<sup>th</sup> P.M. in Seward County. If the owners of appropriation A-4373A do not have access to this point of diversion, they must either obtain permission from the landowner or apply for a new point of diversion. This Order does not authorize access to the existing point of diversion.

3. Appropriation A-4373B is held by Rebecca R. Harling Trustee.

A. She is allowed to divert 0.57 cfs (256 gallons per minute) from the West Fork of the Big Blue River to irrigate the 80 acres of land described below and as depicted on map number 17485 which is hereby made a part of this Order. The total rate that water may be diverted shall not exceed one cfs per 140 acres irrigated. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 9 North, Range 2 East of the 6 <sup>th</sup> P.M. in Seward County		Acres
Section 23:	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>40</u>
	TOTAL	80

B. All terms and conditions of appropriation A-4373 remain in effect unless specifically changed by this Order.

