

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-5463

WATER DIVISION 1-D

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-5463 is currently held by Fred Schaldecker and Verna Jean Schaldecker.
2. Appropriation A-5463 has a priority date of August 11, 1953, and authorizes the use of water for irrigation of the 54.0 acres of land described below. The water may be diverted from School Creek at points of diversion located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2, Township 8 North, Range 4 West of the 6th P.M. in Fillmore County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 140.0 acres irrigated at a maximum combined rate of 0.39 cfs from all points of diversion.

Township 8 North, Range 4 West of the	
<u>6th P.M. in Fillmore County</u>	
	Acres
Section 2:	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.5
NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.5
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>19.0</u>
TOTAL	54.0

3. Verna Jean Schaldecker filed a Notice of Change of Ownership indicating that she is the owner of a portion of the land authorized to be irrigated by appropriation A-5463.
4. Carl W. Schaldecker, Jr, Carla J. Schaldecker, Vernon J. Schaldecker and Nancy F. Seward filed a Notice of Change of Ownership indicating that they are the owners of a portion of the land authorized to be irrigated by appropriation A-5463.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-5463 is divided into two appropriations, A-5463A and A-5463B.

2. Appropriation A-5463A is held by Verna Jean Schaldecker.

A. She is allowed to divert 0.25 cfs (112 gallons per minute) from School Creek to irrigate the 35 acres of land described below and as depicted on map number 17387A 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 8 North, Range 4 West of the	
<u>6th P.M. in Fillmore County</u>	
	<u>Acres</u>
Section 2: NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.5
NE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>30.5</u>
TOTAL	35.0

B. All terms and conditions of appropriation A-5463 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on both banks of School Creek in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 8 North, Range 4 West of the 6th P.M. in Fillmore County. If the owner of appropriation A-5463A does not have access to these points of diversion, she must either obtain permission from the landowner or apply for a new point of diversion. This Order does not authorize access to the existing points of diversion.

3. Appropriation A-5463B is held by Carl W. Schaldecker, Jr, Carla J. Schaldecker, Vernon J. Schaldecker and Nancy F. Seward.

A. They are allowed to divert 0.14 cfs (63 gallons per minute) from School Creek to irrigate the 19.0 acres of land described below and as depicted on map number 17387B 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 8 North, Range 4 West of the	
<u>6th P.M. in Fillmore County</u>	
	<u>Acres</u>
Section 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$	19.0

B. All terms and conditions of appropriation A-5463 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on both banks of School Creek in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 8 North, Range 4 West of the 6th P.M. in Fillmore County. If the owners of appropriation A-5463B do not have access to these points 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 points of diversion.

