

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-13824

WATER DIVISION 1-D

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13824 is currently held by Joel and Barbara Barnett.
2. Appropriation A-13824 has a priority date of October 3, 1975, and authorizes the use of water for irrigation of the 227 acres of land described below. The water may be diverted from a tributary to School Creek at points of diversion located on the right bank of the stream in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9 and on the left bank in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 10, both in Township 7 North, Range 7 West of the 6<sup>th</sup> P.M. in Clay County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 3.24 cfs from all points of diversion.

Township 7 North, Range 7 West of the	
6 <sup>th</sup> P.M. in Clay County	
	Acres
Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$	37
SE $\frac{1}{4}$ NE $\frac{1}{4}$	36
Section 10: NW $\frac{1}{4}$ NW $\frac{1}{4}$	38
NE $\frac{1}{4}$ NW $\frac{1}{4}$	38
SW $\frac{1}{4}$ NW $\frac{1}{4}$	38
SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>40</u>
TOTAL	227

3. Robert L. and Joyce A. Dane 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-13824.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-13824 is divided into two appropriations, A-13824A and A-13824B.

2. Appropriation A-13824A is held by Joel and Barbara Barnett.

A. They are allowed to divert 1.04 cfs (467 gallons per minute) from a tributary to School Creek to irrigate the 73 acres of land described below and as depicted on map number 17382A which is hereby made a part of this Order. The total rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 7 North, Range 7 West of the 6 <sup>th</sup> P.M. in Clay County		Acres
Section 9:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	37
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>36</u>
	TOTAL	73

B. All terms and conditions of appropriation A-13824 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on the right bank of the stream in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9 and on the left bank in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 10, both in Township 7 North, Range 7 West of the 6<sup>th</sup> P.M. in Clay County. If the owners of appropriation A-13824A 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.

3. Appropriation A-13824B is held by Robert L. and Joyce A. Dane.

A. They are allowed to divert 2.20 cfs (987 gallons per minute) from a tributary to School Creek to irrigate the 154 acres of land described below and as depicted on map number 17382B which is hereby made a part of this Order. The total rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 7 North, Range 7 West of the 6 <sup>th</sup> P.M. in Clay County		Acres
Section 10:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	38
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	38
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>40</u>
	TOTAL	154

B. All terms and conditions of appropriation A-13824 remain in effect unless specifically changed by this Order.

