

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-12766

WATER DIVISION 1-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12766 is currently held by Leonard Carlson Heirs.
2. Appropriation A-12766 has a priority date of November 17, 1972, and authorizes the use of water for irrigation of the 22 acres of land described below. The water may be diverted from a tributary to Little Sandy Creek at points of diversion located on both banks of the stream in the SW¼ of Section 2, Township 5 North, Range 5 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 0.31 cfs from all points of diversion. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 5 North, Range 5 West of the 6 <sup>th</sup> P.M. in Clay County		Acres
Section 2:	NW¼SW¼	7
	SW¼SW¼	<u>15</u>
	TOTAL	22

3. Marian Scott & Doris Seaton Life Estates 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-12766.
4. Marian C. & Robert F. Scott Family Trust & Doris Seaton 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-12766.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-12766 is divided into two appropriations, A-12766A and A-12766B.

2. Appropriation A-12766A is held by Marian Scott & Doris Seaton Life Estates.

A. They are allowed to divert 0.10 cfs (45 gallons per minute) from a tributary to Little Sandy Creek to irrigate the 7 acres of land described below and as depicted on map number 17481 which is hereby made a part of this Order. The total rate that water may be diverted shall not exceed one cfs per 70 acres irrigated. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 5 North, Range 5 West of the  
6<sup>th</sup> P.M. in Clay County                      Acres

Section 2:    NW¼SW¼                                      7

B. All terms and conditions of appropriation A-12766 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on both banks of a tributary to Little Sandy Creek in the SW¼ of Section 2, Township 5 North, Range 5 West of the 6<sup>th</sup> P.M. in Clay County. If the owners of appropriation A-12766A 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-12766B is held by Marian C. & Robert F. Scott Family Trust & Doris Seaton.

A. They are allowed to divert 0.21 cfs (94 gallons per minute) from a tributary to Little Sandy Creek to irrigate the 15 acres of land described below and as depicted on map number 17482 which is hereby made a part of this Order. The total rate that water may be diverted shall not exceed one cfs per 70 acres irrigated. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 5 North, Range 5 West of the  
6<sup>th</sup> P.M. in Clay County                      Acres

Section 2:    SW¼SW¼                                      15

B. All terms and conditions of appropriation A-12766 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on both banks of a tributary to Little Sandy Creek in the SW¼ of Section 2, Township 5 North, Range 5 West of the 6<sup>th</sup> P.M. in Clay County. If the owners of appropriation A-12766B 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

