

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-13678

WATER DIVISION 2-B

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13678 is currently held by Isaacson Ladehoff Family Corporation.
2. Appropriation A-13678 has a priority date of July 24, 1975, and authorizes the use of water for irrigation of the 186 acres of land described below. The water may be diverted from Bell Creek at points of diversion located on the left bank of the stream in the NW¼NE¼ of Section 3, Township 21 North, and in the SW¼SE¼ of Section 34, Township 22 North, both in Range 9 East of the 6th P.M. in Burt 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 2.66 cfs from all points of diversion. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 21 North, Range 9 East of the 6 th P.M. in Burt County	Acres
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Section 3: NW¼NE¼	38
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Township 22 North, Range 9 East of the 6 th P.M. in Burt County	Acres
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Section 34: NW¼SE¼	40
NE¼SE¼	39
SW¼SE¼	39
SE¼SE¼	30

TOTAL	186
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3. James A. Nelson, on behalf of James A. Nelson Farm Trust, filed a Notice of Change of Ownership indicating that James A. Nelson Farm Trust is the owner of a portion of the land authorized to be irrigated by appropriation A-13678.
4. Larry V. Pearson, on behalf of LVPLJP LLC, filed a Notice of Change of Ownership indicating that LVPLJP LLC is the owner of a portion of the land authorized to be irrigated by appropriation A-13678.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-13678 is divided into two appropriations, A-13678A and A-13678B.
2. Appropriation A-13678A is held by James A. Nelson Farm Trust.

A. James A. Nelson Farm Trust is allowed to divert 2.11 cfs (947 gallons per minute) from Bell Creek to irrigate the 148 acres of land described below and as depicted on map number 17498 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.

<u>Township 22 North, Range 9 East of the</u>	
<u>6th P.M. in Burt County</u>	
	<u>Acres</u>
Section 34:	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
NE $\frac{1}{4}$ SE $\frac{1}{4}$	39
SW $\frac{1}{4}$ SE $\frac{1}{4}$	39
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>30</u>
TOTAL	148

- B. All terms and conditions of appropriation A-13678 remain in effect unless specifically changed by this Order.
- C. The points of diversion remain on the left bank of Bell Creek in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 21 North, and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 22 North, both in Range 9 East of the 6th P.M. in Burt County. If the owner of appropriation A-13678A does not have access to these points of diversion, James A. Nelson Farm Trust 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-13678B is held by LVPLJP LLC.

A. LVPLJP LLC is allowed to divert 0.54 cfs (242 gallons per minute) from Bell Creek to irrigate the 38 acres of land described below and as depicted on map number 17499 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.

<u>Township 21 North, Range 9 East of the</u>	
<u>6th P.M. in Burt County</u>	
	<u>Acres</u>
Section 3:	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	38

B. All terms and conditions of appropriation A-13678 remain in effect unless specifically changed by this Order.

