

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

CORRECTED APPROVAL OF EXPEDITED TRANSFER EXT-1712 (T-1274)

FOR WATER APPROPRIATION A-4782

WATER DIVISION 1-B

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4782 is held by Wyvern L. and Mary F. Cline.
2. Appropriation A-4782 has a priority date of December 23, 1950, and authorizes the use of water for irrigation of the 56.4 acres of land described below. The water may be diverted from the Republican River at points of diversion located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 6, Township 1 North, Range 14 West of the 6<sup>th</sup> P.M. in Franklin County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 125 acres irrigated at a maximum combined rate of 0.45 cfs (202 gallons per minute) from all points of diversion.

Township 1 North, Range 14 West of the 6 <sup>th</sup> P.M. in Franklin County	Acres
Section 6: SW $\frac{1}{4}$ SW $\frac{1}{4}$	2.9
SE $\frac{1}{4}$ SW $\frac{1}{4}$	14.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$	19.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>20.5</u>
TOTAL	56.4

3. On August 29, 2006, Wyvern L. and Mary F. Cline filed application EXT-1712 (T-1274) for a permit for an expedited transfer of the location of use for a portion of the land authorized to be irrigated by appropriation A-4782 and map number 16187 showing the land proposed to be irrigated under appropriation A-4782 through transfer EXT-1712 (T-1274).
4. A review of the Department's Order of Approval of Expedited Transfer EXT-1712 (T-1274) for water appropriation A-4782, dated November 24, 2008, indicates an error was made on Item 9 of the application in that a 2.1 acre tract of land was inadvertently omitted.

5. Therefore, on September 3, 2009, Wyvern L. and Mary F. Cline corrected and filed application EXT-1712 (T-1274) for a permit for an expedited transfer of the location of use of land authorized to be irrigated by appropriation A-4782.
6. On August 26, 2009, Wyvern L. and Mary F. Cline filed map number 17477 showing the land proposed to be irrigated under appropriation A-4782 through corrected transfer EXT-1712 (T-1274).

Order

IT IS HEREBY ORDERED:

1. The Order dated November 24, 2008, approving expedited transfer EXT-1712 (T-1274) is set aside.
2. Application EXT-1712 (T-1274) for a permit for an expedited transfer of the location of use and map number 17477 are APPROVED.
3. Appropriation A-4782 through transfer EXT-1712 (T-1274) authorizes the use of water to irrigate 56.4 acres of land described below and depicted on map number 17477, which is made a part of this Order. The water may be diverted from the Republican River at points of diversion located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 6, Township 1 North, Range 14 West of the 6<sup>th</sup> P.M. in Franklin County. The rate that water may be diverted shall not exceed one cfs for every 125 acres irrigated at a maximum combined rate of 0.45 cfs from all points of diversion (202 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year.

<u>Township 1 North, Range 14 West of the</u>		<u>Acres</u>
<u>6<sup>th</sup> P.M. in Franklin County</u>		
Section 6:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6.8
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.4
Section 7:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	23.7
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	22.9
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>0.6</u>
	TOTAL	56.4

4. All terms and conditions of appropriation A-4782 remain in effect unless specifically changed by this Order.
5. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
  - a. Notify the Department of any change in ownership or address.
  - b. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).

