

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP AND
CANCELLATION IN PART OF WATER APPROPRIATION A-14993
AND APPROVAL OF MAPS NUMBER 19560 AND 19561

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) shows that land located in the SE $\frac{1}{4}$ of Section 24, Township 07 North, Range 10 West of the 6th P.M. in Adams County appurtenant to appropriation A-14993 is owned by LLTP, L.L.C.
2. Records on file in the Department shows that land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 07 North, Range 10 West of the 6th P.M. in Adams County appurtenant to appropriation A-14993 is owned by Hastings Property Holdings, L.L.C.
3. Records on file in the Department shows that land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 07 North, Range 10 West of the 6th P.M. in Adams County appurtenant to appropriation A-14993 is owned by BDANGFARM, LLC.
4. Appropriation A-14993 has a priority date of June 24, 1977, and authorizes the use of water for irrigation of the 64 acres of land described below. The water may be diverted from Pawnee Creek at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 07 North, Range 10 West of the 6th P.M. in Adams County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.91 cfs.

Township 07 North, Range 10 West of the 6 th P.M. in Adams County		Acres
Section 24:	SW $\frac{1}{4}$ NE $\frac{1}{4}$	11
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	5
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	34
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	9
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	3
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>2</u>
	TOTAL	64

5. On May 18, 2016, Paul Krieger, on behalf of LLTP, L.L.C., filed relinquishment REL-5664, relinquishing the right to divert water under a portion of appropriation A-14993 to irrigate the 48 acres of land described below.

<u>Township 07 North, Range 10 West of the</u>	
<u>6th P.M. in Adams County</u>	
	<u>Acres</u>
Section 24: NW $\frac{1}{4}$ SE $\frac{1}{4}$	34
NE $\frac{1}{4}$ SE $\frac{1}{4}$	9
SW $\frac{1}{4}$ SE $\frac{1}{4}$	3
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>2</u>
TOTAL	48

6. Appropriation A-14993 was originally granted to a single landowner. The appurtenant land was later divided into distinct parcels to multiple owners. Because of the multiple owners, the Department determined that it was in the best interest of the owners and the State to divide the water appropriation among the owners so that each owner's rights are distinguishable.

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-14993 at the rate of 0.68 cfs for use upon the land described below is CANCELLED.

<u>Township 07 North, Range 10 West of the</u>	
<u>6th P.M. in Adams County</u>	
	<u>Acres</u>
Section 24: NW $\frac{1}{4}$ SE $\frac{1}{4}$	34
NE $\frac{1}{4}$ SE $\frac{1}{4}$	9
SW $\frac{1}{4}$ SE $\frac{1}{4}$	3
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>2</u>
TOTAL	48

2. Appropriation A-14993 is divided into two appropriations, A-14993A and A-14993B.
3. Appropriation A-14993A is held by Hastings Property Holdings, L.L.C., and authorizes the appropriator to divert water from Pawnee Creek to irrigate the 11 acres of land described below and depicted on map number 19560 which is made a part of this Order. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.16 cfs (72 gallons per minute).

<u>Township 07 North, Range 10 West of the</u>	
<u>6th P.M. in Adams County</u>	
	<u>Acres</u>
Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$	11

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations. If you are not able to divert sufficient amounts of water, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

June 24, 2016


Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and maps number 19560 and 19561 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and maps number 19560 and 19561 were mailed on June 24, 2016, to the following:

Paul Krieger
LLTP, L.L.C.
901 North Shore Drive
Hastings, Nebraska 68901

BDANGFARM, LLC
2870 Wallingford Road
P.O. Box 80187
San Marino, California 91118

Hastings Property Holdings, L.L.C.
1009 West M Street
Hastings, Nebraska 68901