

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-11003

WATER DIVISION 1-D

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-11003 is currently held by the Dean Spilker Estate.
2. Appropriation A-11003 has a priority date of December 23, 1966, and authorizes the use of water for irrigation of the 86 acres of land described below. The water may be diverted from the Big Blue River at a point of diversion located on the left bank of the stream in the NW¼SW¼ of Section 36, Township 6 North, Range 4 East of the 6th P.M. in Saline 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 rate of 1.23 cfs. Total annual volume of water diverted may not exceed 3 acre-feet per acre irrigated.

Township 6 North, Range 4 East of the 6 th P.M. in Saline County	Acres
Section 36: NW¼SW¼	11
NE¼SW¼	36
NW¼SE¼	<u>39</u>
TOTAL	86

3. Michael Jay and Emily Nicole Spilker 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-11003.
4. Dena Sher and Nathan Spilker 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-11003.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-11003 is divided into two appropriations, A-11003A and A-11003B.

2. Appropriation A-11003A is held by Dena Sher and Nathan Spilker.

- A. They are allowed to divert 0.67 cfs (301 gallons per minute) from the Big Blue River to irrigate the 47 acres of land described below and as depicted on map number 17454 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 6 North, Range 4 East of the 6 th P.M. in Saline County		Acres
Section 36:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	11
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>36</u>
	TOTAL	47

- B. All terms and conditions of appropriation A-11003 remain in effect unless specifically changed by this Order.
- C. The point of diversion remains on the left bank of the Big Blue River in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 6 North, Range 4 East of the 6th P.M. in Saline County. If the owners of appropriation A-11003A do not have access to this point 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 point of diversion.

3. Appropriation A-11003B is held by Michael Jay and Emily Nicole Spilker.

- A. They are allowed to divert 0.56 cfs (251 gallons per minute) from the Big Blue River to irrigate the 39 acres of land described below and as depicted on map number 17455 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 6 North, Range 4 East of the 6 th P.M. in Saline County		Acres
Section 36:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	39

- B. All terms and conditions of appropriation A-11003 remain in effect unless specifically changed by this Order.
- C. The point of diversion remains on the left bank of the Big Blue River in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 6 North, Range 4 East of the 6th P.M. in Saline County. If the owners of appropriation A-11003B do not have access to this point 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 point of diversion.

