

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

Order Dividing and Changing Ownership of Appropriation A-16385

Water Division 1-D

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-16385 is currently held by Max and Sharon Harling.
2. Appropriation A-16385 has a priority date of May 30, 1985, and authorizes the use of water for irrigation of the 110 acres of land described below. The water may be diverted from the West Fork of the Big Blue River at points of diversion located on both banks of the stream in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, Township 8 North, Range 3 East of the 6<sup>th</sup> 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 combined rate of 1.57 cfs from all points of diversion.

Township 8 North, Range 3 East of the 6 <sup>th</sup> P.M. in Saline County	Acres
Section 3: NW $\frac{1}{4}$ SW $\frac{1}{4}$	20
SW $\frac{1}{4}$ SW $\frac{1}{4}$	18
Section 10: NE $\frac{1}{4}$ NW $\frac{1}{4}$	34
NW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>38</u>
TOTAL	110

3. Daryl L. and Barbara K. Novak 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-16385.
4. Wayne E. and Cynthia M. Divis 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-16385.

Order

IT IS HEREBY ORDERED:

1. Appropriation A-16385 is divided into two appropriations, A-16385A and A-16385B.

2. Appropriation A-16385A is held by Wayne E. and Cynthia M. Divis.

A. They are allowed to divert 0.54 cfs (242 gallons per minute) from the West Fork of the Big Blue River to irrigate the 38 acres of land described below and as depicted on map number 17328A 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.

Township 8 North, Range 3 East of the		
<u>6<sup>th</sup> P.M. in Saline County</u>		<u>Acres</u>
Section 3:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	20
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>18</u>
	TOTAL	38

B. All terms and conditions of appropriation A-16385 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on both banks of the West Fork of the Big Blue River in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, Township 8 North, Range 3 East of the 6<sup>th</sup> P.M. in Saline County. If the owners of appropriation A-16385A 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-16385B is held by Daryl L. and Barbara K. Novak.

A. They are allowed to divert 1.03 cfs (462 gallons per minute) from the West Fork of the Big Blue River to irrigate the 72 acres of land described below and as depicted on map number 17328B 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.

Township 8 North, Range 3 East of the		
<u>6<sup>th</sup> P.M. in Saline County</u>		<u>Acres</u>
Section 10:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	34
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>38</u>
	TOTAL	72

B. All terms and conditions of appropriation A-16385 remain in effect unless specifically changed by this Order.

C. The points of diversion remain on both banks of the West Fork of the Big Blue River in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, Township 8 North, Range 3 East of the 6<sup>th</sup> P.M. in Saline County. If the owners of appropriation A-16385B 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.

