

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER NUNC PRO TUNC OF ORDER OF CANCELLATION IN PART DATED JUNE 17, 1993,
FOR WATER APPROPRIATION A-3549

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-3549 is held by Donald and Mary Beth Davison.
2. Appropriation A-3549 has a priority date of January 29, 1942, and authorizes the use of water for irrigation of 17 acres of land. The water may be diverted from Bone Creek at a point of diversion located on the west bank of the stream in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 30 North, Range 22 West of the 6th P.M. in Brown County. The rate that water may be diverted shall not exceed 0.15 cubic foot per second (cfs).
3. A review of the Department's records indicates that a scrivener's error was made on the legal description of the appurtenant land authorized for irrigation under appropriation A-3549 in the Order of Cancellation in Part dated June 17, 1993, and as described in Column A below. The appurtenant land is correctly described in Column B.

<u>COLUMN A</u>		<u>COLUMN B</u>	
Township 30 North, Range 22 West of the 6 th P.M., Brown County	Acres	Township 30 North, Range 22 West of the 6 th P.M., Brown County	Acres
Section 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$	11	Section 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$	11
NE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>6</u>	SW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>6</u>
TOTAL	17	TOTAL	17

Order

IT IS HEREBY ORDERED:

1. Appropriation A-3549 now permits Donald and Mary Beth Davison to divert water from Bone Creek to irrigate the 17 acres of land described below. The point of diversion remains in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 30 North, Range 22 West of the 6th P.M. in Brown County. The rate that water may be diverted shall not exceed 0.15 cubic foot per second (cfs).

Township 30 North, Range 22 West of the 6 th P.M. in Brown County	Acres
Section 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$	11
SW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>6</u>
TOTAL	17

2. All terms and conditions of appropriation A-3549 remain in effect unless specifically changed by this Order.

DEPARTMENT OF NATURAL RESOURCES

April 21, 2010


Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Ord, Nebraska. A copy of this Order was mailed on April 22, 2010, to the following:

Donald and Mary Beth Davison
PO Box 22
Ainsworth, Nebraska 69210