

4. On November 21, 2011, Harry J., Kathryn K. and Kent Pavlik filed application EXT-2222 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-13811 and map number 17910 showing the land proposed to be irrigated under appropriation A-13811 through transfer EXT-2222.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-2089 for a permit for an additional location of diversion for appropriation A-13811 is APPROVED.
2. Application EXT-2222 for a permit for an expedited transfer of the location of use and map number 17910 are APPROVED.
3. Appropriation A-13811 through transfer EXT-2222 authorizes the use of water to irrigate 196.0 acres of land described below and depicted on map number 17910, which is made a part of this Order. The water may be diverted from the North Branch of Verdigre Creek at points of diversion located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, all in Township 30 North, Range 7 West of the 6th P.M. in Knox County. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum combined rate of 2.80 cfs from all points of diversion (1257 gallons per minute). The total combined volume of all appropriations may not exceed 3 acre-feet per irrigated acre per year.

Township 31 North, Range 7 West of the
6th P.M. in Knox County

	Acres
Section 33: NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.4
NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.3
SW $\frac{1}{4}$ SE $\frac{1}{4}$	37.4
SE $\frac{1}{4}$ SE $\frac{1}{4}$	31.6

Township 30 North, Range 7 West of the
6th P.M. in Knox County

	Acres
Section 4: NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.2
Section 5: NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.4
NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.1
SW $\frac{1}{4}$ SE $\frac{1}{4}$	35.6
SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.4
Section 8: NW $\frac{1}{4}$ NE $\frac{1}{4}$	28.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$	18.3
SE $\frac{1}{4}$ NE $\frac{1}{4}$	9.8
TOTAL	196.0

4. All terms and conditions of appropriation A-13811 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).
 - C. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

ADDITIONAL INFORMATION

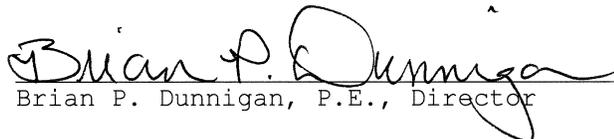
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Approval may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an 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.

DEPARTMENT OF NATURAL RESOURCES

May 21, 2012


Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website. Copies of this Order and map number 17910 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 17910 were mailed on May 21, 2012, to the following:

Harry J. and Kathryn K. Pavlik
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Verdigre, Nebraska 68783

Kent Pavlik
88085 518th Avenue
Verdigre, Nebraska 68783