

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PETITION RLP-9471 AND MAP 20888 TO CHANGE THE LOCATION OF

DIVERSION FOR WATER APPROPRIATION A-10328B

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-10328B is held by Blake and Jacelyn Augustyn.
2. Appropriation A-10328B has a priority date of March 19, 1964, and authorizes the use of water for irrigation of 10 acres of land. The water may be diverted from Spring Creek at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 19 North, Range 13 West of the 6th P.M. in Valley 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 0.14 cfs.
3. On December 6, 2021, Blake and Jacelyn Augustyn filed petition RLP-9471 in the Department for a permit to change the location of diversion for appropriation A-10328B.
4. On February 3, 2021, Blake and Jacelyn Augustyn filed map number 20888 in the Department showing the location of the proposed pump site and the land to be irrigated under appropriation A-10328B through petition RLP-9471.

ORDER

IT IS HEREBY ORDERED:

1. Petition RLP-9471 for a permit to change the location of diversion for appropriation A-10328B and map number 20888 are APPROVED.
2. Appropriation A-10328B through petition RLP-9471 is now A-10328BR.
3. Appropriation A-10328BR shall be shown in the Department's records authorizing the use of water to irrigate 10 acres of land described below and depicted on map number 20888, which is made a part of this Order. The water may be diverted from Spring Creek at a point of diversion located on the left bank of the stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 19 North, Range 13 West of the 6th P.M. in Valley County, as depicted on map number 20888. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.14 cfs (63 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year.

Township 19 North, Range 13 West of the
6th P.M. in Valley County Acres

Section 27: NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10

4. All terms and conditions of previous Orders for appropriation A-10328 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 Order 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



February 8, 2022

Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20888 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20888 were mailed on February 8, 2022, to the following:

Blake and Jacelyn Augustyn
48353 Springdale Road
Ord, Nebraska 68862