

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

APPROVAL OF EXPEDITED TRANSFER EXT-10923 FOR WATER APPROPRIATION A-15793

AND MAP NUMBER 21633

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-15793 is held by James F. Curlo.
2. Appropriation A-15793 has a priority date of **March 20, 1981**, and authorizes the use of water for irrigation of the 59.5 acres of land described below. The water may be diverted from **Oak Creek** at points of diversion located on the right bank of the stream in the **E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, Township 15 North, Range 13 West of the 6th P.M. in Sherman 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 **0.85 cfs**.

Township 15 North, Range 13 West of the 6 th P.M. in Sherman County	Acres
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Section 35: NW $\frac{1}{4}$ SE $\frac{1}{4}$	23.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$	19.5
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>9.0</u>

TOTAL	59.5
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3. On January 23, 2025, James F. Curlo filed application EXT-10923 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-15793.
4. On August 29, 2025, James F. Curlo filed map number 21633 showing the land proposed to be irrigated under appropriation A-15793 through transfer EXT-10923.

ORDER

IT IS HEREBY ORDERED

1. Application EXT-10923 for a permit for an expedited transfer of the location of use and map number 21633 are **APPROVED**.
2. **Authorized Land for Irrigation**
Appropriation A-15793 through transfer EXT-10923 authorizes the use of water to irrigate 59.5 acres of land described below and depicted on map number 21633, which is made a part of this Order. The water may be diverted from **Oak Creek** at points of diversion located on the right bank

of the stream in the ~~E $\frac{1}{2}$ SE $\frac{1}{4}$~~ of Section 35, Township 15 North, Range 13 West of the 6th P.M. in Sherman County, as depicted on map number 21633. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum combined rate of **0.85 cfs** from all points of diversion (381 gallons per minute). The total volume may not exceed **three** acre-feet per irrigated acre per year nor to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

Township 15 North, Range 13 West of the 6 th P.M. in Sherman County		Acres
Section 35:	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.6
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.2
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.2
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.9
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	28.7
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>5.9</u>
TOTAL		59.5

3. Terms & Conditions of Previous Order(s)

All terms and conditions of appropriation A-15793 remain in effect unless specifically changed by this Order.

4. Measuring Device

A measuring device, approved by the Department and at the Applicant's expense, may be required if so ordered by the Department.

5. Ongoing Statutory Requirements

The appropriator must:

- 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 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 a portion or all of a perfected 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 WATER, ENERGY, AND ENVIRONMENT



November 6, 2025

Matthew T. Manning, PE, JD
Chief Water Officer

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21633 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21633 were mailed to the following:

James F. Curlo
78603 485th Avenue
Ashton, Nebraska 68817

John P. Curlo
78642 484th Avenue
Ashton, Nebraska 68817