

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-14389

AND APPROVAL OF MAPS NUMBER 20580 AND 20581

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) shows that Lee Paden Farms, LLC, owns land located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 03, Township 20 North, Range 08 East of the 6th P.M. in Dodge County appurtenant to appropriation A-14389.
2. Records on file in the Department shows that Bowman Farms, Inc., owns land located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 03, Township 20 North, Range 08 East of the 6th P.M. in Dodge County appurtenant to appropriation A-14389.
3. Appropriation A-14389 with a priority date of August 12, 1976, authorizes the use of water for irrigation of the 145 acres of land described below. The water may be diverted from Logan Creek at points of diversion located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 03, Township 20 North, Range 08 East of the 6th P.M. in Dodge County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 2.07 cfs from all points of diversion.

Township 20 North, Range 08 East of the 6 th P.M. in Dodge County		Acres
Section 03:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	24
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	16
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>28</u>
	TOTAL	145

4. On August 17, 2020, Leona K. Paden, on behalf of Lee Paden Farms, LLC, filed a *Notice of Change of Ownership/Water Resources Update Notice* for a portion of the land authorized to be irrigated by appropriation A-14389.
5. Appropriation A-14389 was originally granted to a single landowner. The appurtenant land was later divided into distinct parcels to multiple owners. Because of the multiple owners, the Department determined that it is in the best interest of the owners and the State to divide the water appropriation among the owners so that each owner's rights are distinguishable.

ORDER

IT IS HEREBY ORDERED:

1. Appropriation A-14389 is divided into two appropriations, A-14389A and A-14389B.
2. Appropriation A-14389A authorizes the use of water to irrigate the 62 acres of land described below and depicted on map number 20580, which is made a part of this Order. The water may be diverted from Logan Creek at a point of diversion located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 03, Township 20 North, Range 08 East of the 6th P.M. in Dodge County shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.89 cfs (399 gallons per minute).

Township 20 North, Range 08 East of the 6 th P.M. in Dodge County		Acres
Section 03:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>24</u>
	TOTAL	62

3. Appropriation A-14389B authorizes the use of water to irrigate the 83 acres of land described below and depicted on map number 20581, which is made a part of this Order. The water may be diverted from Logan Creek at a point of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 03, Township 20 North, Range 08 East of the 6th P.M. in Dodge County shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 1.18 cfs (530 gallons per minute).

Township 20 North, Range 08 East of the 6 th P.M. in Dodge County		Acres
Section 03:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	16
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>28</u>
	TOTAL	83

4. All terms and conditions of the approval of appropriation A-14389 remain in effect unless specifically changed by this Order.

ADDITIONAL INFORMATION

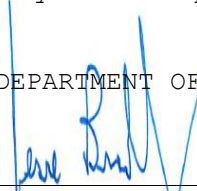
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative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

These appropriations are not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. These appropriations may be closed if there is insufficient water to satisfy senior appropriations.

DEPARTMENT OF NATURAL RESOURCES

October 15, 2020



Jesse Bradley, Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and maps number 20580 and 20581 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and maps number 20580 and 20581 were mailed on October 15, 2020, to the following:

Leona K. Paden
Lee Paden Farms LLC
1405 East 23rd Street
Fremont, Nebraska 68025

Ronald Bowman
Bowman Farms, Inc.
3342 Cherry Wood Drive
Fremont, Nebraska 68025

Weitzenkamp Farms, Inc., Operator
206 County Road 20
Hooper, Nebraska 68031