

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9472,  
PETITION RLP-9476 FOR A PERMIT TO CHANGE THE LOCATION OF DIVERSION  
AND MAP NUMBER 20883  
FOR WATER APPROPRIATION A-4027

WATER DIVISION 1-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4027 is held by Darnall Ranch Inc.
2. Appropriation A-4027 has a priority date of January 24, 1947, and authorizes the use of water for irrigation of the 72.0 acres of land described below. The water may be diverted from the Big Horn Creek at a point of diversion located on the North bank of the stream in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 25, Township 19 North, Range 54 West of the 6<sup>th</sup> P.M. in Banner County. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 1.03 cfs.

<u>Township 19 North, Range 54 West of the</u>		
<u>6<sup>th</sup> P.M. in Banner County</u>		<u>Acres</u>
Section 25:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	17.5
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	4.5
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	35.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>14.0</u>
	TOTAL	72.0

3. On December 2, 2021, Gary Darnall, on behalf of Darnall Ranch Inc., filed application EXT-9472 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-4027.
4. On December 10, 2021, Gary Darnall, filed relocation petition RLP-9476 for a permit to change the location of diversion under A-4027.
5. On December 20, 2021, Gary Darnall filed map number 20883 showing the land proposed to be irrigated under appropriation A-4027 through transfer EXT-9472 and petition RLP-9476.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9472 for a permit for an expedited transfer of the location of use, petition RLP-9476 for a permit to change the location of diversion and map number 20883 are APPROVED.
2. Appropriation A-4027 through petition RLP-9476 is now A-4027R
3. Appropriation A-4027R through transfer EXT-9472 and petition RLP-9476 authorizes the use of water to irrigate 72.0 acres of land described below and depicted on map number 20883, which is made a part of this Order. The water may be diverted from Big Horn Creek at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 24, Township 19 North, Range 54 West of the 6<sup>th</sup> P.M. in Banner County, as depicted on map number 20883. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 1.03 cfs (462 gallons per minute). The total volume may not exceed 3 acre-feet per irrigated acre per year nor exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

<u>Township 19 North, Range 54 West of the</u>		
<u>6<sup>th</sup> P.M. in Banner County</u>		<u>Acres</u>
Section 24:	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.1
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.6
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	18.5
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.8
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35.9
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>5.1</u>
	TOTAL	72.0

4. All terms and conditions of appropriation A-4027 remain in effect unless specifically changed by this Order.
5. A measuring device, approved by the Department, may be required if so ordered by the Department.
6. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are 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 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 NATURAL RESOURCES



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Thomas E. Riley, P.E., Director

March 7, 2022

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20883 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 20883 were mailed on March 7, 2022, to the following:

Darnall Ranch Inc.  
3071 County Road 67  
Harrisburg, Nebraska 69345