

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-9473 AND MAP NUMBER 20884

FOR WATER APPROPRIATION A-9632

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-9632 has a priority date of November 2, 1954, and authorizes the use of water for irrigation of the 72.0 acres of land described below. The water may be diverted from John Muhr Reservoir (A-6803) at a point of diversion located on the North bank of the reservoir in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 19 North, Range 54 West of the 6th P.M. in Banner County. Water diverted shall not exceed 38.0 acre-feet per annum.

<u>Township 19 North, Range 54 West of the 6th 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-9473 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-9632.
4. On December 20, 2021, Gary Darnall filed map number 20884 showing the land proposed to be irrigated under appropriation A-9632 through transfer EXT-9473.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-9473 for a permit for an expedited transfer of the location of use and map number 20884 are APPROVED.

2. Appropriation A-9632 through transfer EXT-9473 authorizes the use of water to irrigate 72.0 acres of land described below and depicted on map number 20884, which is made a part of this Order. The water may be diverted from John Muhr Reservoir (A-6803) at a point of diversion located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 19 North, Range 54 West of the 6th P.M. in Banner County, as depicted on map number 20884. Water diverted shall not exceed 38.0 acre-feet 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>6th 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

3. All terms and conditions of appropriation A-9632 remain in effect unless specifically changed by this Order.
4. A measuring device, approved by the Department, may be required if so ordered by the Department.
5. 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.

DEPARTMENT OF NATURAL RESOURCES



March 7, 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 20884 were provided to the Department's field office in Bridgeport, Nebraska. Copies of this Order and map number 20884 were mailed on March 7, 2022, to the following:

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