

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13104

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that the Vincent E. Seiker Trust Dated April 22, 2004, and the Theresa H. Seiker Trust Dated April 22, 2004, Vincent E. and Theresa Seiker, Trustees, own land located in a portion of the NE $\frac{1}{4}$  of Section 9, Township 10 North, Range 10 East of the 6<sup>th</sup> P.M. in Cass County appurtenant to surface water appropriation A-13104.
2. Records on file in the Department show that the Vickers Family Trust, Barbara Ann Vickers, Trustee, owns land located in a portion of the NE $\frac{1}{4}$  of Section 9, Township 10 North, Range 10 East of the 6<sup>th</sup> P.M. in Cass County appurtenant to surface water appropriation A-13104.
3. Appropriation A-13104 has a priority date of July 26, 1974, and authorizes the use of water for irrigation of the 39.8 acres of land described below. The water may be diverted from Weeping Water Creek at points of diversion located on the right bank in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and on the left bank of the stream in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 9, Township 10 North, Range 10 East of the 6<sup>th</sup> P.M. in Cass County. The rate that water may be diverted shall not exceed 0.57 cubic foot per second (cfs) from all points of diversion.

<u>Township 10 North, Range 10 East of the</u>		
<u>6<sup>th</sup> P.M. in Cass County</u>		<u>Acres</u>
Section 9:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	6.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	12.5
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	6.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>14.5</u>
	TOTAL	39.8

4. On April 14, 2014, Vincent E. and Theresa Seiker, Trustees of the Vincent E. Seiker Trust Dated April 22, 2004, and the Theresa H. Seiker Trust Dated April 22, 2004, filed a Relinquishment of Water Appropriation, REL-5034, in the office of the Department relinquishing the right to divert water under appropriation A-13104 for use upon the land described below.

<u>Township 10 North, Range 10 East of the</u>		
<u>6<sup>th</sup> P.M. in Cass County</u>		<u>Acres</u>
Section 9:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	6.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	12.3
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	6.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>14.5</u>
	TOTAL	39.6

5. On April 22, 2014, Barbara Ann Vickers, Trustee, Vickers Family Trust, filed a Relinquishment of Water Appropriation, REL-5040, in the office of the Department relinquishing the right to divert water under appropriation A-13104 for use upon the land described below.

Township 10 North, Range 10 East of the  
6<sup>th</sup> P.M. in Cass County Acres

Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$  0.2

ORDER

IT IS HEREBY ORDERED appropriation A-13104 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 4, 2014

  
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed on September 4, 2014, to the following:

Vincent E. Seiker Revocable Trust  
Vincent E. Seiker, Trustee  
5824 South 45<sup>th</sup> Street  
Lincoln, Nebraska 68516

Vickers Family Trust  
Barbara Ann Vickers, Trustee  
3502 298<sup>th</sup> Street  
Elmwood, Nebraska 68349

Theresa H. Seiker Revocable Trust  
Theresa H. Seiker, Trustee  
5824 South 45<sup>th</sup> Street  
Lincoln, Nebraska 68516