

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-6054

WATER DIVISION 1-B

Background

1. Surface water appropriation A-6054 is held by Donald R. and Charlotte R. Myers.
2. That portion of appropriation A-6054 not subject to temporary transfer T-1220 authorizes the use of water for irrigation of the 16.3 acres of land described below. The water may be diverted from the Frenchman River at a point of diversion located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 23, Township 5 North, Range 35 West of the 6<sup>th</sup> P.M. in Hayes County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.23 cfs (103 gallons per minute).

<u>Township 5 North, Range 35 West of the</u>		<u>6<sup>th</sup> P.M. in Hayes County</u>	<u>Acres</u>
Section 23:	NE $\frac{1}{4}$ NE $\frac{1}{4}$		5.6
	SW $\frac{1}{4}$ NE $\frac{1}{4}$		1.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$		8.0
Section 24:	SW $\frac{1}{4}$ NW $\frac{1}{4}$		<u>1.7</u>
	TOTAL		16.3

3. That portion of appropriation A-6054 subject to temporary transfer T-1220 as described below and depicted on map number 17376 represents land that shall not be irrigated during the Conservation Reserve Enhancement Program (CREP) contract period as defined by water use contract number 379 which began on January 1, 2006, and terminates on September 30, 2020.

<u>Township 5 North, Range 35 West of the</u>		<u>6<sup>th</sup> P.M. in Hayes County</u>	<u>Acres</u>
Section 23:	NE $\frac{1}{4}$ NE $\frac{1}{4}$		8.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$		7.2
Section 24:	SW $\frac{1}{4}$ NW $\frac{1}{4}$		<u>6.3</u>
	TOTAL		22.3

4. Donald R. and Charlotte R. Myers filed a partial relinquishment of water appropriation A-6054, REL-1625, relinquishing the right to divert water under that portion of appropriation A-6054 not subject to temporary transfer T-1220 to irrigate the 16.3 acres of land described below.

<u>Township 5 North, Range 35 West of the</u>		<u>6<sup>th</sup> P.M. in Hayes County</u>	<u>Acres</u>
Section 23:	NE $\frac{1}{4}$ NE $\frac{1}{4}$		5.6
	SW $\frac{1}{4}$ NE $\frac{1}{4}$		1.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$		8.0
Section 24:	SW $\frac{1}{4}$ NW $\frac{1}{4}$		<u>1.7</u>
	TOTAL		16.3

Order

IT IS HEREBY ORDERED:

1. Part of appropriation A-6054 at the rate of 0.23 cfs (103 gallons per minute) for use upon the land described below is CANCELLED.

<u>Township 5 North, Range 35 West of the</u>		<u>6<sup>th</sup> P.M. in Hayes County</u>	<u>Acres</u>
Section 23:	NE $\frac{1}{4}$ NE $\frac{1}{4}$		5.6
	SW $\frac{1}{4}$ NE $\frac{1}{4}$		1.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$		8.0
Section 24:	SW $\frac{1}{4}$ NW $\frac{1}{4}$		<u>1.7</u>
	TOTAL		16.3

2. That portion of appropriation A-6054 subject to temporary transfer T-1220 as described below and depicted on map number 17376 which is made part of this Order represents land that shall not be irrigated during the Conservation Reserve Enhancement Program (CREP) contract period as defined by water use contract number 379 which began on January 1, 2006, and terminates on September 30, 2020.

<u>Township 5 North, Range 35 West of the</u>		<u>6<sup>th</sup> P.M. in Hayes County</u>	<u>Acres</u>
Section 23:	NE $\frac{1}{4}$ NE $\frac{1}{4}$		8.8
	SE $\frac{1}{4}$ NE $\frac{1}{4}$		7.2
Section 24:	SW $\frac{1}{4}$ NW $\frac{1}{4}$		<u>6.3</u>
	TOTAL		22.3

3. The location of use for that portion of appropriation A-6054 subject to temporary transfer T-1220 shall continue to be downstream of the approved point of diversion to the point where the Republican River crosses the Nebraska/Kansas state line. Such water may be stored in Harlan County Reservoir upon the agreement of the Department and the owners/operators of said reservoir.

