

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-15876

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15876 is held by Norbert Dobias, K & H Land & Cattle, LLC, and Michael B. and Janet M. Jundt and David P. Jundt and James R. Maly.
2. Appropriation A-15876 has a priority date of May 26, 1981, and authorizes the use of water for irrigation of the 200.0 acres of land described below. The water may be diverted from the Niobrara River at a point of diversion located on the right bank of the stream in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 31 North, Range 7 West of the 6th P.M. in Knox County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.86 cfs.

Township 31 North, Range 7 West of the
6th P.M. in Knox County

	Acres
Section 4: NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.0
SE $\frac{1}{4}$ NW $\frac{1}{4}$	25.0
NW $\frac{1}{4}$ NE $\frac{1}{4}$	24.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$	13.0
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	20.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>20.0</u>
TOTAL	200.0

3. On June 6, 2012, James R. Maly filed a partial relinquishment of water appropriation A-15876, REL-2348, relinquishing the right to divert water under appropriation A-15876 to irrigate the 121.1 acres of land described below.

Township 31 North, Range 7 West of the 6 th P.M. in Knox County		Acres
Section 4:	SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.4
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.7
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	20.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>20.0</u>
	TOTAL	121.1

4. On June 18, 2012, Michael B. and Janet M. Jundt and David P. Jundt filed a partial relinquishment of water appropriation A-15876, REL-2353, relinquishing the right to divert water under appropriation A-15876 to irrigate the 55.3 acres of land described below.

Township 31 North, Range 7 West of the 6 th P.M. in Knox County		Acres
Section 4:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.3
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	24.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>13.0</u>
	TOTAL	55.3

5. On October 4, 2012, Kevin R. Bitney, on behalf of K & H Land & Cattle, LLC, filed a partial relinquishment of water appropriation A-15876, REL-2422, relinquishing the right to divert water under appropriation A-15876 to irrigate the 55.3 acres of land described below.

Township 31 North, Range 7 West of the 6 th P.M. in Knox County		Acres
Section 4:	SE $\frac{1}{4}$ NW $\frac{1}{4}$	17.3
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>6.3</u>
	TOTAL	23.6

ORDER

IT IS HEREBY ORDERED appropriation A-15876 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

November 29, 2012


Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website, and provided to the Department's field office in Ord, Nebraska. A copy of this Order was mailed on November 29, 2012, to the following:

Norbert Dobias
88505 518th Avenue
Verdigre, Nebraska 68783

David P. Jundt
3302 South 49th Street
Norfolk, Nebraska 68701

James R. Maly
14505 North 156th Street
Bennington, Nebraska 68007

K & H Land and Cattle, LLC
Kevin R. Bitney
84879 525th Avenue
Neligh, Nebraska 68756

Michael B. and Janet M. Jundt
800 Georgia Avenue
Norfolk, Nebraska 68701