

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18806

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18806 is held by William J. and Julia A. Tielke.
2. Appropriation A-18806 was approved by the Department on December 15, 2011.
3. Appropriation A-18806 has a priority date of September 6, 2011, and authorizes the use of water for irrigation of the 198.5 acres of land described below. The water may be diverted from Middle Branch Eagle Creek at a point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 3, Township 30 North, Range 13 West of the 6<sup>th</sup> P.M. in Holt 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 2.84 cfs.

Township 31 North, Range 13 West of the  
6<sup>th</sup> P.M. in Holt County

	Acres
Section 33: NW $\frac{1}{4}$ NW $\frac{1}{4}$	7.4
NE $\frac{1}{4}$ NW $\frac{1}{4}$	35.5
SW $\frac{1}{4}$ NW $\frac{1}{4}$	16.4
SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.3
NW $\frac{1}{4}$ NE $\frac{1}{4}$	27.4
NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.1
SW $\frac{1}{4}$ NE $\frac{1}{4}$	38.7
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.7
NE $\frac{1}{4}$ SW $\frac{1}{4}$	19.4
NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>12.6</u>
TOTAL	198.5

4. The approval was conditional upon the commencement of construction by December 15, 2012.
5. On April 29, 2013, William J. Tielke filed correspondence in the Department indicating that the irrigation project under appropriation A-18806 will not be moving forward.

6. Nebraska Revised Statute § 46-238 provides for the cancellation of an appropriation in the event that the appropriator fails to comply with the terms of the approval.

ORDER

IT IS HEREBY ORDERED appropriation A-18806 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

August 7, 2013

  
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 August 7, 2013, to the following:

William J. and Julia A. Tielke  
88154 483<sup>rd</sup> Avenue  
Atkinson, Nebraska 68713