STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATIONs A-5892A AND A-5892B

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that David J. and Jill M. Roberts own land located in the NW¼ of Section 12, Township 18 North, Range 5 West of the 6th P.M. in Boone County appurtenant to surface water appropriation A-5892A.

2. Records on file in the Department show that Roberts and Sons, Inc., own land located in the W½NE¼ of Section 12, Township 18 North, Range 5 West of the 6th P.M. in Boone county appurtenant to surface water appropriation A-5892B.

3. Appropriation A-5892A has a priority date of January 25, 1954, and authorizes the use of water for irrigation of the 67.1 acres of land described below. The water may be diverted from Beaver Creek at a point of diversion located on in the NE¼NW¼ of Section 12, Township 18 North, Range 5 West of the 6th P.M. in Boone County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 1,118 acres irrigated at a maximum rate of 0.06 cfs.

Township 18 North, Range 5 West of the 6th P.M. in Boone County		Acres
Section 12:	NW¼NW¼	23.8
	NE¼NW¼	16.0
	SW¼NW¼	3.5
	SE¼NW¼	23.8
	TOTAL	67.1

4. Appropriation A-5892B has a priority date of January 25, 1954, and authorizes the use of water for irrigation of the 10.1 acres of land described below. The water may be diverted from Beaver Creek at a point of diversion located on in the NW¼NE¼ of Section 12, Township 18 North, Range 5 West of the 6th P.M. in Boone County. Water diverted shall not exceed the ratio of one cfs for every 1,118 acres irrigated at a maximum rate of 0.01 cfs.

Township 18 North, Range 5 West of the 6th P.M. in Boone County		Acres
Section 12	NW¼NE¼	2.2
	SW¼NE¼	7.9
	TOTAL	10.1

5. On January 22, 2013, James and JoAnn Roberts, on behalf of Roberts and Sons, Inc., filed a Relinquishment of Water Appropriation, REL-3479, in the office of the Department relinquishing the right to divert water under appropriation A-5892A for use upon the land described above in paragraph three.

6. On January 22, 2013, James and JoAnn Roberts, on behalf of Roberts and Sons, Inc., filed a Relinquishment of Water Appropriation, REL-3481, in the office of the Department relinquishing the right to divert water under appropriation A-5892B for use upon the land described above in paragraph four.

7. On February 4, 2013, David J. and Jill Roberts filed corrected filed relinquishment REL-3479 in the office of the Department relinquishing the right to divert water under appropriation A-5892A for use upon the land described above in paragraph three.

ORDER

IT IS HEREBY ORDERED:

1. Appropriation A-5892A is CANCELLED.

2. Appropriation A-5892B is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 12, 2013

Brian P. Dunnigan

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 Norfolk, Nebraska. A copy of this Order was mailed on April 12, 2013, to the following:

David J. and Jill Roberts
P.O. Box 348
Saint Edward, Nebraska 68660

James & JoAnn Roberts
Roberts and Sons, Inc.
3471 State Highway 39
Saint Edward, Nebraska 68660