

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER DISMISSING PARTIAL RELINQUISHMENT REL-2137 FOR APPROPRIATION D-10BR

WATER DIVISION 1-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation Docket D-10BR is held by Frenchman Valley Farmers Coop, Inc.
2. Water appropriation Docket D-10BR, with a priority date of December 19, 1893, is a permit to divert 1.17 cubic feet per second of water from the Frenchman River (Creek) at a point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 3 North, Range 31 West of the 6th P.M. in Hitchcock County to irrigate 81.5 acres.
3. On July 13, 2011, Donald L. Crews, on behalf of Crews Farms, LLC, filed in the Department relinquishment in part REL-2137 for appropriation Docket D-10BR.
4. On December 7, 2011, Jim Chism with the Frenchman Valley Farmers Coop, Inc., filed in the Department a Notice of Change of Ownership form indicating that the Coop is the owner of the land authorized to be irrigated by appropriation Docket D-10BR.
5. The filing of relinquishment in part REL-2137 was based on the Crews Farms, LLC's ownership of the land under docket D-10BR. Due to the change of ownership of the land under D-10BR, relinquishment in part REL-2137 should be dismissed.

ORDER

IT IS HEREBY ORDERED:

1. Relinquishment in part REL-2137 is DISMISSED.
2. All other terms and conditions of Docket D-10BR remain in effect.

ADDITIONAL INFORMATION

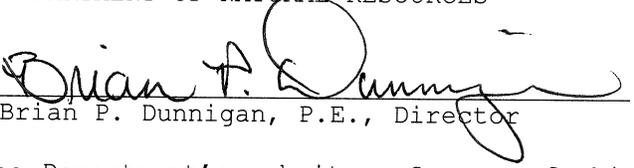
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this approval may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an appropriation for more than five consecutive years may result in cancellation of the appropriation.

These appropriations are not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. These appropriations may be closed if there is insufficient water to satisfy senior appropriations.

DEPARTMENT OF NATURAL RESOURCES

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

Donald L. Crews
Crews Farms, LLC
1820 Wallenberg Drive
Fort Collins, CO 80526

Jim Chism
Frenchman Valley Farmers Coop, Inc.
P.O. Box 578
Imperial, NE 69033