

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13808

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13808 is held by Ruth Calloway Kellems and Mary Lou James.
2. A search of the records of the Otoe County Register of Deeds indicates the land appurtenant to appropriation A-13808 includes names of owners that are different than the owner listed in Department records. These individuals are Larry Lee James et al.
3. The Department has received information that Larry Lee James is deceased.
4. Appropriation A-13808 has a priority date of September 16, 1957, and authorizes the use of water for irrigation of the 160 acres of land described below. The water may be diverted from Big Slough Creek at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, Township 09 North, Range 13 East of the 6th P.M. in Otoe 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 2.29 cfs.

Township 09 North, Range 13 East of the 6 th P.M. in Otoe County		Acres
Section 16:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	36
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	24
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	37
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	28
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>35</u>
	TOTAL	160

5. On September 14, 2015, Ruth Calloway Kellems filed a Relinquishment of Water Appropriation, REL-5522, in the office of the Department relinquishing the right to divert water under appropriation A-13808 for use upon the land described above.
6. On November 2, 2015, Mary Lou James, Trustee of the Larry Lee James Revocable Trust, filed a Relinquishment of Water Appropriation, REL-5537, in the office of the Department relinquishing the right to divert water under appropriation A-13808 for use upon the land described above

ORDER

IT IS HEREBY ORDERED appropriation A-13808 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

December 11, 2015


Gordon W. Fassett, 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 December 11, 2015, to the following:

Ruth Calloway Kellems
2432 Walden Court
Iowa City, Iowa 52246

Bruce Madsen, Operator
5284 B Road
Nehawka, Nebraska 68413

Mary Lou James, Trustee
Larry Lee James Revocable Trust
8017 Hillside Drive
Kansas City, Missouri 64152