

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18584

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18584 is held by R & P Baxter Land LP.
2. Appropriation A-18584, with a priority date of April 3, 2008, authorizes the use of water for irrigation of the 209.1 acres of land described below. The water may be diverted from South Cedar Creek at a point of diversion located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 05, Township 10 North, Range 12 East of the 6<sup>th</sup> P.M. in Cass 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 2.99 cfs.

| Township 10 North, Range 12 East of the<br>6 <sup>th</sup> P.M. in Cass County |                                   | Acres       |
|--|-----------------------------------|-------------|
| Section 05:  | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 36.3        |
|  | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 32.3        |
|  | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 33.2        |
|  | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 32.9        |
|  | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 12.0        |
| Section 06:  | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 37.6        |
|  | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | <u>24.8</u> |
|  | TOTAL                             | 209.1       |

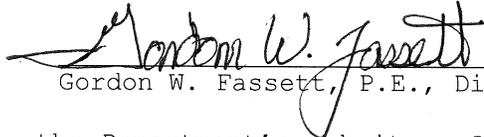
3. The approval of appropriation A-18584 was conditional upon the irrigation of the above land by September 1, 2011.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-18584 had not been irrigated by September 1, 2011.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-18584 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. Copies of this Order and field investigation report were mailed on December 11, 2015, to the following:

R & P Baxter Land LP  
9014 A Street  
Nehawka, NE 68413