

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

DISMISSAL OF EXPEDITED TRANSFER EXT-5176 AND

ORDER OF CANCELLATION IN FULL OF OPTIONAL DIVERSION A-2078

WATER DIVISION 2-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water optional diversion A-2078 is held by Tony and Deanna Johnson.
2. Optional diversion A-2078 provides an additional point of diversion for lands authorized to be irrigated under appropriation D-473 as depicted on map number 3819 approved by Order dated March 28, 1928, and described below. The optional diversion is located on the north bank of Spring Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 32 North, Range 51 West of the 6th P.M. in Dawes County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 1.3 cfs from all points of diversion.

Township 32 North, Range 51 West of the 6 th P.M. in Dawes County		Acres
Section 7:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	11.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	14.0
Section 8:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>4.0</u>
	TOTAL	90.0

3. On September 23, 2014, Tony Johnson filed in the Department application EXT-5176 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by optional diversion A-2078.
4. The Department has received information that appropriation D-473 and optional diversion A-2078 shall have a common location of diversion. Therefore, the optional location of diversion is no longer necessary and optional diversion A-2078 should be cancelled.

ORDER

1. Application EXT-5176 for a permit for an expedited transfer of optional diversion A-2078 is DISMISSED.
2. Optional diversion A-2078 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

March 24, 2015



James C. Schneider, Ph.D.
Acting 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 Bridgeport and Crawford, Nebraska. A copy of this Order was mailed on March 24, 2015, to the following:

Tony and Deanna Johnson
220 Lawrence Road
Whitney, Nebraska 69367