

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9216

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-9216 is held by Ermin C. Benes.
2. A search of the records of the Seward County Register of Deeds indicates the land appurtenant to appropriation A-9216 is owned by Ermin C. and Dolores M. Benes.
3. Appropriation A-9216 has a priority date of February 18, 1957, and authorizes the use of water for irrigation of the 55.0 acres of land described below. The water may be diverted from a tributary to Peanut Creek at points of diversion located on both banks of the stream in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, Township 12 North, Range 4 East of the 6th P.M. in Seward 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 0.79 cfs from all points of diversion.

Township 12 North, Range 4 East of the 6 th P.M. in Seward County		Acres
Section 12:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>23.0</u>
	TOTAL	55.0

4. On December 31, 2014, Ermin C. and Dolores M. Benes filed a Relinquishment of Water Appropriation, REL-5277, in the office of the Department relinquishing the right to divert water under appropriation A-9216 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-9216 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

February 10, 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 Lincoln, Nebraska. A copy of this Order was mailed on February 10, 2015, to the following:

Ermin C. and Dolores M. Benes
419 County Road 31
Valparaiso, Nebraska 68065