

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-13642

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13642 is held by Stuart T. and LaVera Y. Schlichtemeier Trust.
2. Appropriation A-13642 has a priority date of July 1, 1975, and authorizes the use of water for irrigation of the 130.0 acres of land described below. The water may be diverted from Schlichtemeier Reservoir No. 1 (storage permit A-13641) at a point of diversion located on the right bank of the reservoir in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 11 North, Range 13 East of the 6th P.M. in Cass County. The amount of water shall not exceed 14 acre-feet per year.

Township 11 North, Range 13 East of the 6 th P.M. in Cass County	Acres
Section 28: NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	15.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$	15.0
Section 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$	20.0
TOTAL	130.0

3. On March 13, 2015, LaVera Y. Schlichtemeier and Don Schlichtemeier, on behalf of the Stuart T. and LaVera Y. Schlichtemeier Trust, filed relinquishment REL-5440, relinquishing the right to divert water under a portion of appropriation A-13642 to irrigate the 42.7 acres of land described below.

Township 11 North, Range 13 East of the 6 th P.M. in Cass County	Acres
Section 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$	14.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.7
Section 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$	20.0
TOTAL	42.7

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-13642 for use upon the land described below is CANCELLED.

Township 11 North, Range 13 East of the 6 th P.M. in Cass County		Acres
Section 28:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	14.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.7
Section 32:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>20.0</u>
TOTAL		42.7

2. Appropriation A-13642 now authorizes the appropriator to divert water from Schlichtemeier Reservoir No. 1 (storage permit A-13641) to irrigate the 87.3 acres of land described below and depicted on map number 18937 which is made a part of this Order. The point of diversion remains in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 11 North, Range 13 East of the 6th P.M. in Cass Count, as depicted on map number 18937. The amount of water shall not exceed 14 acre-feet per year.

Township 11 North, Range 13 East of the 6 th P.M. in Cass County		Acres
Section 28:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	15.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	26.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>6.3</u>
TOTAL		87.3

3. All terms and conditions of appropriation A-13642 remain in effect unless specifically changed by this Order.
4. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
- A. Notify the Department of any change in ownership or address.
 - B. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - C. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

ADDITIONAL INFORMATION

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

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

July 23, 2015



James C. Schneider, Ph.D.
Acting Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 18937 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 18937 were mailed on July 23, 2015, to the following:

Stuart T. and LaVera Y. Schlichtemeier Trust
3210 Hobscheidt Road
Murray, Nebraska 68409

Don Schlichtemeier
3516 Hobscheidt Road
Murray, Nebraska 68409