

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF PARTIAL CANCELLATION AND

ASSIGNMENT OF RIGHTS OF WATER APPROPRIATION A-186R

WATER DIVISION 1-A

BACKGROUND

1. Appropriations held by the Steamboat Irrigation District (District) to divert water from the North Platte River through the Castle Rock Canal at its headgate located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 21 North, Range 54 West of the 6th P.M. in Scotts Bluff County are summarized in the following chart:

Appropriation Number	Priority Date	Source	Use	Permitted Appurtenant acres	Maximum Diversion in cfs ¹
A-186R	10-22-1895	Platte River	IR ²	213.9	3.05
			US ³	-	1.51
A-186AR	10-22-1895	Platte River	IR	108.0	0.19
			US	-	0.09
A-350R	07-22-1896	Platte River	IR	28.0	0.40
			US	-	0.09
A-350AR	07-22-1896	Platte River	IR	108.0	0.29
			US	-	0.07

¹ Grant = Maximum rate of diversion in cubic feet per second

² IR = Irrigation from naturally flowing source

³ US = incidental underground storage

2. On February 13, 2015, the District and individual landowners filed in the Department Relinquishment of Water Appropriation In Part, REL-5305, to relinquish the right to divert a portion of the water under A-186R.
3. On February 13, 2015, the District filed Notification of Assignment of Rights, AOR-5306, to assign the portion of appropriation A-186R, previously relinquished.

ORDER

IT IS HEREBY ORDERED:

1. A portion of the water under A-186R from the North Platte River through the Castle Rock Canal for use upon the land described below and shown on aerial photographs filed with REL-5305 is CANCELLED.

REL-5305

Township 21 North, Range 54 West of the
6th P.M. in Scotts Bluff County Acres

Section 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.1

2. The Department acknowledges the Notification of Assignment of Rights, AOR-5306, filed by the District on February 13, 2015, to assign the portion of water under A-186R previously relinquished by REL-5305 to the 8.1 acres described below and shown on the aerial photograph filed with AOR-5306.

AOR-5306

Township 21 North, Range 53 West of the
6th P.M. in Scotts Bluff County Acres

Section 29: NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.8
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.1
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.2
 Total 8.1

3. The right to divert 3.05 cubic feet per second (cfs) of water for irrigation and 1.51 cfs for incidental underground storage under appropriation A-186R from the North Platte River via the Castle Rock Canal shall remain IN FULL FORCE AND EFFECT.
4. All terms and conditions of appropriation A-186 and A-186R remain in effect unless specifically changed by this Order.
5. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
 - A. Receiving approval prior to taking any action that changes the location of the point of diversion, a transfer of the location of the place of use, a relinquishment of a portion of the appropriation, the type of use, or the type of appropriation.
 - B. Notify the Department of Natural Resources of any reassignment of relinquished portions of an appropriation.
 - C. Comply with all relevant notices and orders of the Department.

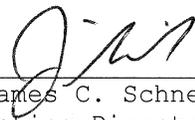
ADDITIONAL INFORMATION

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 five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES

July 27, 2015



James C. Schneider, Ph.D.
Acting Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Neb. Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the Approval and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website and provided to the Department's field office in Bridgeport, Nebraska. A copy of this Order was mailed on July 22, 2015, to the following:

David Fisher, Secretary-Treasurer
Steamboat Irrigation District
180038 County Road 29
Gering, Nebraska 69341-5812