

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-18838R

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18838R is held by Louse Creek, LLC.
2. Appropriation A-18838 has a priority date of November 21, 2011, and authorizes the use of water for irrigation of 253.8 acres of land described below. The water may be diverted from Louse Creek at a point of diversion located on the left bank of the stream in the NW¹/₄ of Section 30, Township 32 North, Range 9 West of the 6th P.M. in Holt 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 3.63 cfs (1,629 gallons per minute).

Township 32 North, Range 10 West of the 6 th P.M. in Holt County		Acres
Section 25:	NW ¹ / ₄ NW ¹ / ₄	35.0
	NE ¹ / ₄ NW ¹ / ₄	35.0
	SW ¹ / ₄ NW ¹ / ₄	35.0
	SE ¹ / ₄ NW ¹ / ₄	35.0
	NW ¹ / ₄ NE ¹ / ₄	35.0
	NE ¹ / ₄ NE ¹ / ₄	27.2
	SW ¹ / ₄ NE ¹ / ₄	35.0
	SE ¹ / ₄ NE ¹ / ₄	<u>16.6</u>
	TOTAL	253.8

3. On November 24, 2014, Timothy Kalkowski, on behalf of Louse Creek, LLC, filed relinquishment REL-5245, relinquishing the right to divert 0.55 cfs of water under appropriation A-18838R to irrigate the 253.8 acres of land described above.
4. On January 20, 2015, Timothy Kalkowski, on behalf of Louse Creek, LLC, filed map number 19149 depicting land to be irrigated under appropriation A-18838R.

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-18838R at the rate of 0.55 cfs for use upon the land described below is CANCELLED.

Township 32 North, Range 10 West of the 6 th P.M. in Holt County		Acres
Section 25:	NW ¹ / ₄ NW ¹ / ₄	35.0
	NE ¹ / ₄ NW ¹ / ₄	35.0
	SW ¹ / ₄ NW ¹ / ₄	35.0
	SE ¹ / ₄ NW ¹ / ₄	35.0
	NW ¹ / ₄ NE ¹ / ₄	35.0
	NE ¹ / ₄ NE ¹ / ₄	27.2
	SW ¹ / ₄ NE ¹ / ₄	35.0
	SE ¹ / ₄ NE ¹ / ₄	<u>16.6</u>
	TOTAL	253.8

2. Appropriation A-18838R now authorizes the appropriator to divert water from Louse Creek to irrigate the 253.8 acres of land described below and depicted on map number 19149 which is made a part of this Order. The point of diversion remains in the NW¹/₄ of Section 30, Township 32 North, Range 9 West of the 6th P.M. in Holt County, as depicted on map number 19149. Water diverted shall not exceed the ratio of one cfs for every **82** acres irrigated at a maximum rate of 3.08 cfs (1,382 gallons per minute).

Township 32 North, Range 10 West of the 6 th P.M. in Holt County		Acres
Section 25:	NW ¹ / ₄ NW ¹ / ₄	35.0
	NE ¹ / ₄ NW ¹ / ₄	35.0
	SW ¹ / ₄ NW ¹ / ₄	35.0
	SE ¹ / ₄ NW ¹ / ₄	35.0
	NW ¹ / ₄ NE ¹ / ₄	35.0
	NE ¹ / ₄ NE ¹ / ₄	27.2
	SW ¹ / ₄ NE ¹ / ₄	35.0
	SE ¹ / ₄ NE ¹ / ₄	<u>16.6</u>
	TOTAL	253.8

3. All terms and conditions of appropriation A-18838 and A-18838R remain in effect unless specifically changed by this Order.
4. Natural flow appropriation A-19312 provides additional water to land approved for irrigation under appropriation A-18838R.

5. 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

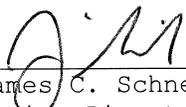
Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,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

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations. If you are not able to divert sufficient amounts of water, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

June 3, 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 19149 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 19149 were mailed on June 3, 2015, to the following:

Timothy Kalkowski
Louse Creek, LLC
1916 Devonshire Drive
Lincoln, Nebraska 68506