

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-12951

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12951 is held by Janice L. Myers and Cheryl J. Myers.
2. The Department has received information that Janice L. Myers' husband, Kurt Myers, may have a spousal interest in the land appurtenant to A-12951.
3. The Department has received information that Cheryl J. Myers' husband, Kent Myers, may have a spousal interest in the land appurtenant to A-12951.
4. Appropriation A-12951 has a priority date of October 3, 1973, and authorizes the use of water for irrigation of the 303 acres of land described below. The water may be diverted from a tributary to Turkey Creek at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 08, Township 06 North, Range 02 West of the 6<sup>th</sup> P.M. in Fillmore 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 4.33 cfs.

Township 06 North, Range 02 West of the 6 <sup>th</sup> P.M. in Fillmore County	Acres
Section 08: NW $\frac{1}{4}$ SE $\frac{1}{4}$	39
NE $\frac{1}{4}$ SE $\frac{1}{4}$	38
SW $\frac{1}{4}$ SE $\frac{1}{4}$	38
SE $\frac{1}{4}$ SE $\frac{1}{4}$	36
Section 09: NW $\frac{1}{4}$ SW $\frac{1}{4}$	38
NE $\frac{1}{4}$ SW $\frac{1}{4}$	39
SW $\frac{1}{4}$ SW $\frac{1}{4}$	37
SE $\frac{1}{4}$ SW $\frac{1}{4}$	38
TOTAL	303

5. On July 14, 2016, Kurt and Janice L. Myers and Kent and Cheryl J. Myers filed a Relinquishment of Water Appropriation, REL-5741, in the office of the Department relinquishing the right to divert water under appropriation A-12951 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-12951 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

July 29, 2016

  
Gordon W. Fassett, P.E., 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 July 29, 2016, to the following:

Kurt and Janice L. Myers  
1016 Road 15  
Geneva, Nebraska 68361

Kent and Cheryl J. Myers  
920 Road 15  
Geneva, Nebraska 68361