

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18941

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18941 is held by Sylvan Thoene.
2. Appropriation A-18941, with a priority date of July 23, 2012, authorizes the use of water for irrigation of the 154.7 acres of land described below. The water may be diverted from Second Bow Creek at points of diversion located on both banks of the stream in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 08, Township 32 North, Range 02 East of the 6th P.M. in Cedar 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 2.21 cfs from all points of diversion.

Township 32 North, Range 02 East of the 6 th P.M. in Cedar County		Acres
Section 08:	SE $\frac{1}{4}$ NW $\frac{1}{4}$	37.9
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.2
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	39.3
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>39.3</u>
	TOTAL	154.7

3. The approval of appropriation A-18941 was conditional upon the irrigation of the above land by September 1, 2015.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-18941 had not been irrigated by September 1, 2015.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-18941 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

November 15, 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 Norfolk, Nebraska. Copies of this Order and field investigation report were mailed on November 15, 2016, to the following:

Sylvan Thoene
56511 887 Road
Hartington, NE 68739