STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-18964

AND APPROVAL OF MAP NUMBER 19528

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18964 is held by Marilyn S. Corman.

2. Appropriation A-18964, with a priority date of September 10, 2012, authorizes the use of water for irrigation of the 43.2 acres of land described below. The water may be diverted from the Little Blue River at a point of diversion located on the right bank of the stream in the NE¼NW¼ of Section 34, Township 04 North, Range 06 West of the 6th P.M. in Nuckolls 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 0.62 cfs.

Township 04 North, Range 06 West of the 6th P.M. in Nuckolls County		Acres
Section 34:	NW¼NW¼	34.4
	SW¼NW¼	8.8
	TOTAL	43.2

3. The approval of appropriation A-18964 was conditional upon the irrigation of the above land by September 1, 2015.

4. Department personnel performed a field investigation and determined a portion of the land approved for irrigation under appropriation A-18964 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:

1. Part of appropriation A-18964 at the rate of 0.12 cfs for use upon the land described below is CANCELLED.

Township 04 North, Range 06 West of the 6th P.M. in Nuckolls County		Acres
Section 34:	NW¼NW¼	6.8
	SW¼NW¼	1.6
	TOTAL	8.4

2. Appropriation A-18964 now permits the appropriator to divert water from the Little Blue River to irrigate the 34.8 acres of land described below and depicted on map number 19528 which is made a part of this Order. The water may be diverted from the Little Blue River at a point of diversion located on the right bank of the stream in the NE¼NW¼ of Section 34, Township 04 North, Range 06 West of the 6th P.M. in Nuckolls County, as depicted on map number 19528. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.50 cfs (224 gallons per minute).

Township 04 North, Range 06 West of the 6th P.M. in Nuckolls County		Acres
Section 34:	NW¼NW¼	27.6
	SW¼NW¼	7.2
	TOTAL	34.8

3. All terms and conditions of the approval of appropriation A-18964 remain in effect unless specifically changed by this Order.

4. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are 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, and there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

May 6, 2016

Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 19528 were provided to the Department's field office in Lincoln, Nebraska. Copies of the field investigation, this Order and map number 19528 were mailed on May 6, 2016, to the following:

Marilyn S. Corman
4021 Road V
Nelson, Nebraska 68961

Operator
Craig Corman
P.O. Box 132
Nelson, Nebraska 68961-0132