

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18984

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18984 is held by Midwest Tree Moving.
2. Appropriation A-18984, with a priority date of November 8, 2012, authorizes the use of water for irrigation of the 18.9 acres of land described below. The water may be diverted from the Missouri River at a point of diversion located on the right bank of the stream in the SW¹/₄SE¹/₄ of Section 09, Township 33 North, Range 01 West 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 rate of 0.27 cfs.

<u>Township 33 North, Range 01 West of the 6th P.M. in Cedar County</u>	<u>Acres</u>
Section 09: NW ¹ / ₄ SE ¹ / ₄	3.5
SW ¹ / ₄ SE ¹ / ₄	<u>15.4</u>
TOTAL	18.9

3. The approval of appropriation A-18984 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-18984 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-18984 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:

Gerald Fischer and Jerry Fischer
Midwest Tree Moving
503 North Robinson
Hartington, Nebraska 68739