

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19007

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19007 is held by John Herz.
2. Appropriation A-19007, with a priority date of January 15, 2013, authorizes the use of water for irrigation of the 37.4 acres of land described below. The water may be diverted from a tributary to the Missouri River at a point of diversion located on the right bank of the stream in the SW¹/₄NW¹/₄ of Section 28, Township 11 North, Range 14 East of the 6th P.M. in Cass 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 0.53 cfs.

Township 11 North, Range 14 East of the 6 th P.M. in Cass County		Acres
Section 29:	NE ¹ / ₄ SE ¹ / ₄	15.6
	SE ¹ / ₄ SE ¹ / ₄	<u>21.8</u>
	TOTAL	37.4

3. The approval of appropriation A-19007 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-19007 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-19007 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 6, 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. Copies of this Order and field investigation report were mailed on April 6, 2016, to the following:

John Herz
3612 Kenosha Road
Plattsmouth, Nebraska 68048