

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19034

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19034 is held by Daniel L. and Mary K. Gerdes.
2. Appropriation A-19034, with a priority date of March 6, 2013, authorizes the use of water for irrigation of the 148.0 acres of land described below. The water may be diverted from Muddy Creek at points of diversion located on both banks of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 19, Township 05 North, Range 13 East of the 6<sup>th</sup> P.M. in Nemaha 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 2.11 cfs from all points of diversion.

| Township 05 North, Range 13 East of the<br>6 <sup>th</sup> P.M. in Nemaha County |                                   | Acres       |
|--|-----------------------------------|-------------|
| Section 19:  | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 8.2         |
|  | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 11.0        |
|  | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.1        |
|  | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 28.3        |
|  | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 20.9        |
|  | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 3.4         |
|  | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 20.2        |
|  | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | <u>21.9</u> |
|  | TOTAL                             | 148.0       |

3. The approval of appropriation A-19034 was conditional upon the irrigation of the above land by September 1, 2016.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-19034 had not been irrigated by September 1, 2016.
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-19034 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

November 15, 2016

  
Gordon W. Fasset, 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 November 15, 2016, to the following:

Daniel L. and Mary K. Gerdes  
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