

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18351

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18351 is held by Dan Hahn.
2. Appropriation A-18351, with a priority date of October 11, 2005, authorizes the use of water for irrigation of the 140.0 acres of land described below. The water may be diverted from the Niobrara River at points of diversion located on the right bank of the stream in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 32 North, Range 40 West of the 6th P.M. in Cherry County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 2.0 cfs from all points of diversion.

Township 32 North, Range 40 West of the 6 th P.M. in Cherry County	Acres
Section 22: SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.3
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.5
NE $\frac{1}{4}$ SW $\frac{1}{4}$	21.7
SE $\frac{1}{4}$ SW $\frac{1}{4}$	10.8
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	16.7
SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.6
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>7.9</u>
TOTAL	140.0

3. The approval of appropriation A-18351 was conditional upon the irrigation of the above land by September 1, 2009.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-18351 had not been irrigated by September 1, 2009.
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-18351 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 30, 2010


Brian P. Dunnigan, 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 Ord, Nebraska. Copies of this Order and field investigation report were mailed on September 30, 2010, to the following:

Dan Hahn
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