

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-19621

AND APPROVAL OF MAP NUMBER 20909

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19621 is held by Twin Loups Reclamation District (District).
2. Appropriation A-19621 with a priority date of November 8, 2018, authorizes the use of water for irrigation of 431.2 acres of land. The water may be diverted from Calamus Reservoir (storage appropriation A-9517) from a point of diversion located at the headgate of the Mirdan Canal in the NW¹/₄NW¹/₄ of Section 06, Township 21 North, Range 16 West of the 6th P.M. in Garfield County.
3. The approval of appropriation A-19621 was conditional upon the irrigation of the above land by September 1, 2021.
4. Department personnel performed a field investigation and determined a portion of the land approved for irrigation under appropriation A-19621 had not been irrigated by September 1, 2021.
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-19621 for use upon 101.5 acres of land is CANCELLED.

2. The following land is authorized to be irrigated (appurtenant land) under surface water appropriation A-19621 as depicted on map number 20909 which is made a part of this Order.

<u>Township 19 North, Range 16 West of the 6th P.M. in Valley County Acres</u>		<u>Township 16 North, Range 11 West of the 6th P.M. in Howard County Acres</u>	
Section 03: SW ¹ / ₄ NE ¹ / ₄	21.1	Section 18: SW ¹ / ₄ SW ¹ / ₄	4.8
SE ¹ / ₄ NE ¹ / ₄	17.5	Section 19: NE ¹ / ₄ SW ¹ / ₄	1.3
Section 10: NW ¹ / ₄ NE ¹ / ₄	34.1	NW ¹ / ₄ SE ¹ / ₄	3.2
NE ¹ / ₄ NE ¹ / ₄	1.1	Section 33: NE ¹ / ₄ NW ¹ / ₄	1.4
SW ¹ / ₄ NE ¹ / ₄	0.9	Section 34: NW ¹ / ₄ NW ¹ / ₄	13.2
SE ¹ / ₄ NE ¹ / ₄	0.9	SW ¹ / ₄ NW ¹ / ₄	41.8
Section 17: SW ¹ / ₄ NE ¹ / ₄	8.8	SE ¹ / ₄ NW ¹ / ₄	10.3
SE ¹ / ₄ NE ¹ / ₄	9.0	NE ¹ / ₄ SW ¹ / ₄	3.1
SW ¹ / ₄ SE ¹ / ₄	23.8	SE ¹ / ₄ SW ¹ / ₄	8.1
SE ¹ / ₄ SE ¹ / ₄	7.9		
<u>Township 19 North, Range 15 West of the 6th P.M. in Valley County Acres</u>		<u>Township 16 North, Range 07 West of the 6th P.M. in Nance County Acres</u>	
Section 35: SW ¹ / ₄ NE ¹ / ₄	2.5	Section 29: SW ¹ / ₄ SW ¹ / ₄	13.0
SE ¹ / ₄ NE ¹ / ₄	8.6	Section 32: NW ¹ / ₄ NW ¹ / ₄	8.5
NW ¹ / ₄ SE ¹ / ₄	5.9	Township 16 North, Range 06 West of the 6 th P.M. in Nance County Acres	
NE ¹ / ₄ SE ¹ / ₄	0.9	Section 30: SE ¹ / ₄ NW ¹ / ₄	5.8
SE ¹ / ₄ SE ¹ / ₄	6.1	Township 15 North, Range 11 West of the 6 th P.M. in Howard County Acres	
<u>Township 18 North, Range 15 West of the 6th P.M. in Valley County Acres</u>		Section 03: NE ¹ / ₄ NW ¹ / ₄	6.6
Section 02: NE ¹ / ₄ NW ¹ / ₄	19.9	Township 15 North, Range 10 West of the 6 th P.M. in Howard County Acres	
SE ¹ / ₄ NW ¹ / ₄	1.0	Section 16: SE ¹ / ₄ NW ¹ / ₄	4.7
<u>Township 18 North, Range 13 West of the 6th P.M. in Greeley County Acres</u>		TOTAL	329.7
Section 34: NW ¹ / ₄ NW ¹ / ₄	9.2		
NE ¹ / ₄ NW ¹ / ₄	19.5		
<u>Township 17 North, Range 12 West of the 6th P.M. in Greeley County Acres</u>			
Section 23: SE ¹ / ₄ SW ¹ / ₄	5.2		

3. The water may be diverted from a point of diversion located at the headgate of the Mirdan Canal in the NW¹/₄NW¹/₄ of Section 06, Township 21 North, Range 16 West of the 6th P.M. in Garfield County.
4. All terms and conditions of the approval of appropriation A-19621 remain in effect unless specifically changed by this Order.
5. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
 - A. Receiving approval prior to taking any action that changes the location of the point of diversion, a transfer of the location of the place of use, a relinquishment of a portion of the appropriation, the type of use, or the type of appropriation.
 - B. Notify the Department of Natural Resources of any reassignment of relinquished portions of an appropriation.
 - C. Comply with all relevant notices and orders of the Department.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Approval may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

March 2, 2022

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20909 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 20909 were mailed on March 2, 2022, to the following:

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