

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13027

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13027 is held by the Gutshall Revocable Trusts.
2. Appropriation A-13027 has a priority date of April 29, 1974, and authorizes the use of water for irrigation of the 74.5 acres of land described below. The water may be diverted from the Elkhorn River at points of diversion located on both banks of the stream in the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 03 and on the right bank in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 11, both in Township 28 North, Range 11 West of the 6<sup>th</sup> P.M. in Holt 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 1.06 cfs from all points of diversion.

| Township 28 North, Range 11 West of the<br>6 <sup>th</sup> P.M. in Holt County |   | Acres       |
|--|---|-------------|
| Section 03:  | SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> | 21.1        |
| Section 10:  | NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 6.0         |
|  | NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 6.0         |
|  | SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 6.2         |
| Section 11:  | NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 8.3         |
|  | SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 3.7         |
|  | NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> | <u>23.2</u> |
|  | TOTAL   | 74.5        |

3. On December 29, 2022, Stanley Gutshall, on behalf of the Gutshall Revocable Trusts, filed a Relinquishment of Water Appropriation, REL-9822, in the office of the Department relinquishing the right to divert water under appropriation A-13027 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-13027 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



January 17, 2023

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Thomas E. Riley, 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. A copy of this Order was mailed to the following:

Stanley Gutshall  
Gutshall Revocable Trusts  
P.O. Box 378  
O'Neill, Nebraska 68763