

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-19662

AND APPROVAL OF MAP NUMBER 21346

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19662 is held by Loup Basin Reclamation District.
2. Appropriation A-19662, with a priority date of July 23, 2019, authorizes the use 161.9 acre-feet of water annually from Sherman Reservoir (storage appropriation A-4923B) via the headgate of the Farwell Irrigation District Main Canal located in the SW¹/₄NW¹/₄ of Section 01, Township 15 North, Range 14 West of the 6th P.M. in Sherman County for irrigation of the 161.9 acres of land described below.

<u>Township 14 North, Range 13 West of the 6th P.M. in Sherman County</u>	<u>Acres</u>	<u>Township 14 North, Range 11 West of the 6th P.M. in Howard County</u>	<u>Acres</u>
Section 09: NE ¹ / ₄ SE ¹ / ₄	0.8	Section 08: NE ¹ / ₄ NW ¹ / ₄	6.1
SE ¹ / ₄ SE ¹ / ₄	18.6	SE ¹ / ₄ NW ¹ / ₄	5.7
Section 24: NE ¹ / ₄ NW ¹ / ₄	16.5	NE ¹ / ₄ SW ¹ / ₄	2.5
SE ¹ / ₄ NW ¹ / ₄	4.2	Section 10: NE ¹ / ₄ SE ¹ / ₄	6.8
Township 14 North, Range 12 West of the 6 th P.M. in Howard County	<u>Acres</u>	SW ¹ / ₄ SE ¹ / ₄	4.1
Section 20: NE ¹ / ₄ SW ¹ / ₄	6.3	SE ¹ / ₄ SE ¹ / ₄	5.8
SW ¹ / ₄ SW ¹ / ₄	5.9	Section 15: NE ¹ / ₄ SW ¹ / ₄	5.0
SE ¹ / ₄ SW ¹ / ₄	3.2	SE ¹ / ₄ SW ¹ / ₄	0.6
Township 14 North, Range 11 West of the 6 th P.M. in Howard County	<u>Acres</u>	Section 18: NW ¹ / ₄ NE ¹ / ₄	20.1
Section 02: SE ¹ / ₄ NW ¹ / ₄	0.8	NE ¹ / ₄ NE ¹ / ₄	22.3
SW ¹ / ₄ NE ¹ / ₄	3.9	SW ¹ / ₄ NE ¹ / ₄	0.2
NE ¹ / ₄ SW ¹ / ₄	9.2	SE ¹ / ₄ NE ¹ / ₄	8.7
NW ¹ / ₄ SE ¹ / ₄	0.3	Township 13 North, Range 11 West of the 6 th P.M. in Howard County	<u>Acres</u>
		Section 21: SE ¹ / ₄ NW ¹ / ₄	4.1
		SW ¹ / ₄ NE ¹ / ₄	<u>0.2</u>
		TOTAL	161.9

3. The approval of appropriation A-19662 was conditional upon the irrigation of the above land by September 1, 2023.
4. Department personnel performed a field investigation and determined a portion of the land approved for irrigation under appropriation A-19662 had not been irrigated by September 1, 2023.
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-19662 for use upon 4.3 acres of land and 4.3 acre-feet of water from Sherman Reservoir is CANCELLED.
2. Appropriation A-19662 now permits the appropriator to irrigate 157.6 acres of land described below and depicted on map number 21346 which is made a part of this Order.

<u>Township 14 North, Range 13 West of the 6th P.M. in Sherman County</u>	<u>Acres</u>	<u>Township 14 North, Range 11 West of the 6th P.M. in Howard County</u>	<u>Acres</u>
Section 09: NE ¹ / ₄ SE ¹ / ₄	0.8	Section 08: NE ¹ / ₄ NW ¹ / ₄	6.1
SE ¹ / ₄ SE ¹ / ₄	18.6	SE ¹ / ₄ NW ¹ / ₄	5.7
Section 24: NE ¹ / ₄ NW ¹ / ₄	16.5	NE ¹ / ₄ SW ¹ / ₄	2.5
SE ¹ / ₄ NW ¹ / ₄	4.2	Section 10: NE ¹ / ₄ SE ¹ / ₄	6.8
<u>Township 14 North, Range 12 West of the 6th P.M. in Howard County</u>	<u>Acres</u>	SW ¹ / ₄ SE ¹ / ₄	4.1
Section 20: NE ¹ / ₄ SW ¹ / ₄	6.3	SE ¹ / ₄ SE ¹ / ₄	5.8
SW ¹ / ₄ SW ¹ / ₄	5.9	Section 15: NE ¹ / ₄ SW ¹ / ₄	5.0
SE ¹ / ₄ SW ¹ / ₄	3.2	SE ¹ / ₄ SW ¹ / ₄	0.6
<u>Township 14 North, Range 11 West of the 6th P.M. in Howard County</u>	<u>Acres</u>	Section 18: NW ¹ / ₄ NE ¹ / ₄	20.1
Section 02: SE ¹ / ₄ NW ¹ / ₄	0.8	NE ¹ / ₄ NE ¹ / ₄	22.3
SW ¹ / ₄ NE ¹ / ₄	3.9	SW ¹ / ₄ NE ¹ / ₄	0.2
NE ¹ / ₄ SW ¹ / ₄	9.2	SE ¹ / ₄ NE ¹ / ₄	8.7
NW ¹ / ₄ SE ¹ / ₄	0.3	TOTAL	157.6

3. Appropriation A-19662 authorizes the appropriator the use of 157.6 acre-feet of water annually from Sherman Reservoir (storage appropriation A-4923B) from a pump site located in the SW¹/₄NW¹/₄ of Section 01, Township 15 North, Range 14 West of the 6th P.M. in Sherman County, as depicted on map number 21346 for irrigation of the 157.6 acres described above.

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 Order may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

February 5, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21346 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21346 were mailed to the following:

Matt Lukasiewicz, General Manager
Loup Basin Reclamation District
P.O. Box 137
Farwell, Nebraska 68838

Farwell Irrigation District
P.O. Box 137
Farwell, Nebraska 68838