

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-12809

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12809 is held by John L. and Mary Ann Birkett and Randy R. and Cheri R. Birkett.
2. Appropriation A-12809 has a priority date of February 14, 1973, and authorizes the use of water for irrigation of the 167 acres of land described below. The water may be diverted from the Big Blue River at points of diversion located on the left bank of the stream in the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 10 and the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 11, both in Township 06 North, Range 04 East of the 6<sup>th</sup> P.M. in Saline 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 2.39 cfs from all points of diversion.

<u>Township 06 North, Range 04 East of the</u>		
<u>6<sup>th</sup> P.M. in Saline County</u>		<u>Acres</u>
Section 10:	NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	16
	SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	6
Section 11:	NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	40
	SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	25
	NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40
	SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	<u>40</u>
	TOTAL	167

3. On February 28, 2024, John L. and Mary Ann Birkett and Randy R. and Cheri R. Birkett filed a Relinquishment of Water Appropriation, REL-10036, in the office of the Department relinquishing the right to divert water under appropriation A-12809 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-12809 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

March 4, 2024

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. A copy of this Order was mailed to the following:

John L. and Mary Ann Birkett  
1367 County Road 2350  
Wilber, Nebraska 68465

Randy R. and Cheri R. Birkett  
1488 County Road 2350  
Wilber, Nebraska 68465