

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19812

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19812 is held by R & M Hotovy, Inc.
2. Appropriation A-19812, with a priority date of February 22, 2022, authorizes the use of water for irrigation of the 113.4 acres of land described below. The water may be diverted from Plum Creek at a point of diversion located on the right bank of the stream in the SE¹/₄NW¹/₄ of Section 10, Township 12 North, Range 03 East of the 6th P.M. in Seward County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.62 cfs.

<u>Township 12 North, Range 03 East of the</u>		
<u>6th P.M. in Seward County</u>		<u>Acres</u>
Section 03:	NW ¹ / ₄ SW ¹ / ₄	2.9
	SW ¹ / ₄ SW ¹ / ₄	36.7
	SE ¹ / ₄ SW ¹ / ₄	4.3
Section 10:	NW ¹ / ₄ NW ¹ / ₄	39.0
	NE ¹ / ₄ NW ¹ / ₄	10.0
	SW ¹ / ₄ NW ¹ / ₄	20.2
	SE ¹ / ₄ NW ¹ / ₄	<u>0.3</u>
TOTAL		113.4

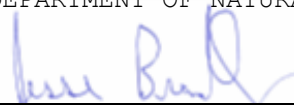
3. The approval of appropriation A-19812 was conditional upon the irrigation of the above land by September 1, 2024.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-19812 had not been irrigated by September 1, 2024.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-19812 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 23, 2024



Jesse Bradley, P.G., Interim 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 Lincoln, Nebraska. Copies of this Order and field investigation report were mailed to the following:

Connor Hotovy
R & M Hotovy, Inc.
2328 Parkview Drive
Fremont, Nebraska 68025