

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-4793

AND APPROVAL OF MAP NUMBER 21400

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4793 is held by Shirley Sloup and R. Scott and Glenda M. Sloup.
2. Appropriation A-4793 has a priority date of January 29, 1951, and authorizes the use of water for irrigation of the 164.0 acres of land described below. The water may be diverted from the Big Blue River at points of diversion located on both banks of the stream in the N¹/₄SW¹/₄ of Section 23, Township 12 North, Range 02 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 140 acres irrigated at a maximum combined rate of 1.17 cfs from all points of diversion. The total annual volume may not exceed 3 acre-feet per acre of land on which water is actually and beneficially applied.

Township 12 North, Range 02 East of the 6 th P.M. in Seward County		Acres
Section 23:	NW ¹ / ₄ SW ¹ / ₄	33.0
	NE ¹ / ₄ SW ¹ / ₄	11.0
	SW ¹ / ₄ SW ¹ / ₄	27.0
	SE ¹ / ₄ SW ¹ / ₄	39.0
	NW ¹ / ₄ SE ¹ / ₄	15.0
	SW ¹ / ₄ SE ¹ / ₄	<u>39.0</u>
	TOTAL	164.0

3. On August 26, 2024, Shirley Sloup and R. Scott and Glenda M. Sloup filed relinquishment REL-10221, relinquishing the right to divert water under a portion of appropriation A-4793 to irrigate the 31.7 acres of land described below.

Township 12 North, Range 02 East of the 6 th P.M. in Seward County		Acres
Section 23:	SW ¹ / ₄ SW ¹ / ₄	8.0
	SE ¹ / ₄ SW ¹ / ₄	6.7
	NW ¹ / ₄ SE ¹ / ₄	15.0
	SW ¹ / ₄ SE ¹ / ₄	<u>2.0</u>
	TOTAL	31.7

4. Appropriation A-4793 is provided supplemental water from Herpolsheimer Reservoir, storage use appropriation A-8060, owned by Shirley Sloup and R. and Scott and Glenda M. Sloup.

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-4793 at the rate of 0.22 cfs for use upon the 31.7 acres of land described above is CANCELLED.
2. Appropriation A-4793 now authorizes the appropriator to divert water from the Big Blue River to irrigate the 132.3 acres of land described below and depicted on map number 21400 which is made a part of this Order. The points of diversion remain in the N $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 12 North, Range 02 East of the 6th P.M. in Seward County, as depicted on map number 21400. Water diverted shall not exceed the ratio of one cfs for every 140 acres irrigated at a maximum combined rate of 0.95 cfs (426 gallons per minute) from all points of diversion. The total volume may not exceed three acre-feet per irrigated acre per year nor to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

<u>Township 12 North, Range 02 East of the 6th P.M. in Seward County</u>	<u>Acres</u>
Section 23: NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	19.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$	32.3
SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>37.0</u>
TOTAL	132.3

3. All terms and conditions of previous orders for appropriation A-4793 remain in effect unless specifically changed by this Order.
4. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are not limited to, the following:
 - A. Notify the Department of any change in ownership or address.
 - B. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - C. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

ADDITIONAL INFORMATION

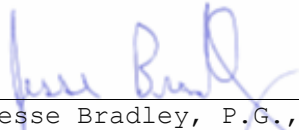
Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,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

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations. If you are not able to divert sufficient amounts of water, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

November 21, 2024



Jesse Bradley, P.G., Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21400 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 21400 were mailed to the following:

Shirley Sloup
3115 Branched Oak Road
Staplehurst, Nebraska 68439

R. Scott and Glenda M. Sloup
1470 North 1st Street
Staplehurst, Nebraska 68439