

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-18854R

AND APPROVAL OF MAP NUMBER 21552

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18854R is held by Keating Land & Cattle, LLC.
2. Appropriation A-18854R has a priority date of December 19, 2011, and authorizes the use of water for irrigation of the 197.5 acres of land described below. The water may be diverted from Big Sandy Creek at points of diversion located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 33 North, Range 14 West of the 6th 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 2.82 cfs from all points of diversion.

Township 33 North, Range 14 West of the 6 th P.M. in Holt County		Acres
Section 13:	SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.0
Section 14:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	34.3
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	36.7
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33.3
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.9
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.4
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.7
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>1.7</u>
TOTAL		197.5

3. On December 9, 2024, M. J. Keating, on behalf of Keating Land & Cattle, LLC, filed relinquishment REL-10823, relinquishing the right to divert water under a portion of appropriation A-18854R to irrigate the 123.8 acres of land described below.

<u>Township 33 North, Range 14 West of the</u>		
<u>6th P.M. in Holt County</u>		<u>Acres</u>
Section 14:	NE ¹ / ₄ NW ¹ / ₄	30.4
	SE ¹ / ₄ NW ¹ / ₄	32.1
	NW ¹ / ₄ NE ¹ / ₄	29.2
	SW ¹ / ₄ NE ¹ / ₄	<u>32.1</u>
	TOTAL	123.8

ORDER

IT IS HEREBY ORDERED:

- Part of appropriation A-18854R at the rate of 1.77 cfs for use upon the 123.8 acres of land described above is CANCELLED.
- Appropriation A-18854R now authorizes the appropriator to divert water from Big Sandy Creek to irrigate the 73.7 acres of land described below and depicted on map number 21552 which is made a part of this Order. The points of diversion remain in the NE¹/₄NW¹/₄ and the SW¹/₄NW¹/₄ of Section 13, Township 33 North, Range 14 West of the 6th P.M. in Holt Count, as depicted on map number 21552. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum combined rate of 1.05 cfs (4714 gallons per minute) from all points of diversion. The total volume may not exceed 3 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 33 North, Range 14 West of the</u>		
<u>6th P.M. in Holt County</u>		<u>Acres</u>
Section 13:	SW ¹ / ₄ NW ¹ / ₄	3.0
Section 14:	NE ¹ / ₄ NW ¹ / ₄	3.9
	SE ¹ / ₄ NW ¹ / ₄	4.6
	NW ¹ / ₄ NE ¹ / ₄	4.1
	NE ¹ / ₄ NE ¹ / ₄	7.0
	SW ¹ / ₄ NE ¹ / ₄	7.8
	SE ¹ / ₄ NE ¹ / ₄	39.4
	NE ¹ / ₄ SW ¹ / ₄	0.5
	NW ¹ / ₄ SE ¹ / ₄	1.7
	NE ¹ / ₄ SE ¹ / ₄	<u>1.7</u>
	TOTAL	73.7

3. All terms and conditions of previous orders for appropriation A-18854R 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

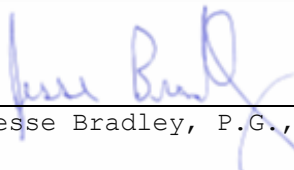
Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,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

January 22, 2025



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 21552 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 21552 were mailed to the following:

M. J. Keating
Keating Land & Cattle, LLC
47765 899th Road
Atkinson, Nebraska 68713
mjkeatilng1961@gmail.com