

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-8133
AND APPROVAL OF MAP NUMBER 21561

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-8133 is held by C. David Elm.
2. Appropriation A-8133 has a priority date of September 19, 1955, and authorizes the use of water for irrigation of the 66.0 acres of land described below. The water may be diverted from Looking Glass Creek at a point points of diversion located on both banks of the stream in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 08, Township 17 North, Range 03 West of the 6th P.M. in Platte 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 0.47 cfs (210 gallons per minute) from all points of diversion.

| Township 17 North, Range 03 West of the 6 th P.M. in Platte County | | Acres |
|--|-----------------------------------|-------------|
| Section 08: | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 26.0 |
| | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | <u>40.0</u> |
| TOTAL | | 66.0 |

3. On April 11, 2025, Jeremy Schreiber, on behalf of C. David Elm, filed relinquishment REL-11202, relinquishing the right to divert water under a portion of appropriation A-8133 to irrigate the 50.7 acres of land described below.

| Township 17 North, Range 03 West of the 6 th P.M. in Platte County | | Acres |
|--|-----------------------------------|-------------|
| Section 08: | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 10.7 |
| | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | <u>40.0</u> |
| TOTAL | | 50.7 |

4. Appropriation A-17887 provides additional water to land approved for irrigation under appropriation A-8133.

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-8133 at the rate of 0.36 cfs for use upon the 50.7 acres of land described above is CANCELLED.
2. Appropriation A-8133 now authorizes the appropriator to divert water to irrigate the 15.3 acres of land described below and depicted on map number 21561 which is made a part of this Order. The water may be diverted from Looking Glass Creek at a point of diversion located on the right bank of the stream in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 08, Township 17 North, Range 03 West of the 6th P.M. in Platte County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum rate of 0.11 cfs (49 gallons per minute). The total volume of all appropriations 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.

Township 17 North, Range 03 West of the
6th P.M. in Platte County Acres

Section 08: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 15.3

3. All terms and conditions of appropriation A-8133 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

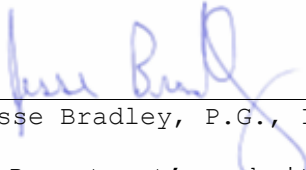
Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,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

April 18, 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 21561 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 21561 were mailed to the following:

C. David Elm
10365 Goosehaven Drive
Lafayette, Colorado 80026

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