

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19849

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-19849 is held by the Garber Family Trust.
2. Appropriation A-19849, with a priority date of May 9, 2022, authorizes the use of water for irrigation of the 49.7 acres of land described below. The water may be diverted from the Little Blue River at a point of diversion located on the left bank of the stream in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 02 North, Range 02 East of the 6th P.M. in Jefferson 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 0.71 cfs.

Township 02 North, Range 02 East of the 6 th P.M. in Jefferson County		Acres
Section 15:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.2
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.1
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.6
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>25.8</u>
TOTAL		49.7

3. The approval of appropriation A-19849 was conditional upon the irrigation of the above land by September 1, 2025.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-19849 had not been irrigated by September 1, 2025.
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-19849 is CANCELLED.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



September 18, 2025

Matthew T. Manning, PE, JD
Chief Water Officer

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:

Lloyd and Geraldine Garber, Trustees
Garber Family Trust
56885 Highway 136
Fairbury, Nebraska 68352