

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9963

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that Gary L. and Janet L. Zimmerer own 142.9 acres of land located in the SE¼ of Section 22, Township 22 North, Range 02 West of the 6<sup>th</sup> P.M. in Madison County appurtenant to surface water appropriation A-9963.
2. Records on file in the Department show that Gary and Betty Uttecht own 4.3 acres of land located in the SE¼ of Section 22, Township 22 North, Range 02 West of the 6<sup>th</sup> P.M. in Madison County appurtenant to surface water appropriation A-9963
3. Appropriation A-9963 has a priority date of July 31, 1961, and authorizes the use of water for irrigation of the 147.2 acres of land described below. The water may be diverted from Taylor Creek at points of diversion located on both banks of the stream in the SW¼SE¼ and SE¼SE¼ of Section 22, and in the NE¼NE¼ of Section 27, all in Township 22 North, Range 02 West of the 6<sup>th</sup> P.M. in Madison 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 2.1 cfs from all points of diversion.

<u>Township 22 North, Range 02 West of the 6<sup>th</sup> P.M. in Madison County</u>	<u>Acres</u>
Section 22: NW¼SE¼	40.0
NE¼SE¼	40.0
SW¼SE¼	31.2
SE¼SE¼	<u>36.0</u>
TOTAL	147.2

4. On January 22, 2019, Gary L. and Janet L. Zimmerer filed a Relinquishment of Water Appropriation, REL-7215, in the office of the Department relinquishing the right to divert water under appropriation A-9963 for use upon the land described above.
5. On January 22, 2019, Gary and Betty Uttecht filed a Relinquishment of Water Appropriation, REL-7216, in the office of the Department relinquishing the right to divert water under appropriation A-9963 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-9963 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

January 30, 2019

  
Gordon W. Fassett, P.E., 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 Norfolk, Nebraska. A copy of this Order was mailed on January 30, 2019, to the following:

Gary L. and Janet L. Zimmerer  
802 South 8<sup>th</sup> Street  
Humphrey, Nebraska 68642

Gary and Betty Uttecht  
54961 830<sup>th</sup> Road  
Madison, Nebraska 68748