

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13809

CASE NUMBER 2020-5-PD-1

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13809 is held by Crystal Vogt.
2. Appropriation A-13809 with a priority date of September 16, 1975, authorizes the use of water for irrigation of the 88.6 acres of land described below. The water may be diverted from Big Papillion Creek at a point of diversion located on the right bank of the stream in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 29, Township 18 North, Range 11 East of the 6<sup>th</sup> P.M. in Washington County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.27 cfs.

Township 18 North, Range 11 East of the 6 <sup>th</sup> P.M. in Washington County		Acres
Section 29:	NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	33.6
	NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	0.8
	SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	40.0
	SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	14.2
	TOTAL	88.6

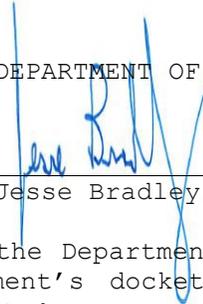
3. The Department has received information concerning the use of surface water appropriation A-13809 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On June 5, 2020, the Department issued a Notice of Preliminary Determination of Nonuse of Crystal Vogt, 2120 Jackson Street, Blair, Nebraska 68008
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13809 has not been used for its required purpose for more than five consecutive years.
7. *Nebraska Revised Statutes* § 46-229.02 provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.

ORDER

IT IS HEREBY ORDERED appropriation A-13809 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

July 8, 2020

  
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Jesse Bradley, Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order were provided to the Department's docket clerk and field office in Norfolk, Nebraska. A copy of this Order was mailed on July 8, 2020, to the following:

Crystal Vogt  
2120 Jackson Street  
Blair, Nebraska 68008