

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19474

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19474 is held by Marilyn Biere Ach.
2. Appropriation A-19474, with a priority date of October 20, 2016, authorizes the use of water for irrigation of the 267.7 acres of land described below. The water may be diverted from Wilson Creek 1-F (Nemaha Natural Resources District storage appropriation A-16242) from a pump site located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31, Township 08 North, Range 13 East of the 6<sup>th</sup> P.M. in Otoe County. Water diverted shall not exceed the amount of 85 acre-feet per annum.

Township 08 North, Range 13 East of the	
<u>6<sup>th</sup> P.M. in Otoe County</u>	
	<u>Acres</u>
Section 31: NW $\frac{1}{4}$ SW $\frac{1}{4}$	26.3
NE $\frac{1}{4}$ SW $\frac{1}{4}$	19.7
SW $\frac{1}{4}$ SW $\frac{1}{4}$	38.2
SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	30.3
NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.4
SW $\frac{1}{4}$ SE $\frac{1}{4}$	36.9
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>37.9</u>
TOTAL	267.7

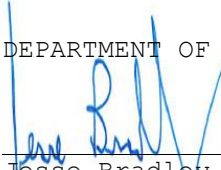
3. The approval of appropriation A-19474 was conditional upon the irrigation of the above land by September 1, 2019.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-19474 had not been irrigated by September 1, 2019.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-19474 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

August 21, 2020

  
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Jesse Bradley, Interim 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 Lincoln, Nebraska. Copies of this Order and field investigation report were mailed on August 21, 2020, to the following:

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