

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13308

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that a portion surface water appropriation A-13308 located in the SW¹/₄ and W¹/₂SE¹/₄ of Section 32, Township 02 North, Range 13 East of the 6th P.M. in Richardson County is held the Lois J. Witter Revocable Trust.
2. Records on file in the Department of Natural Resources show that a portion surface water appropriation A-13308 located in the S¹/₂SW¹/₄ of Section 32, Township 02 North, Range 13 East of the 6th P.M. in Richardson County is held by Gregory L. and Janice L. Elbert.
3. Appropriation A-13308 has a priority date of December 11, 1974, and authorizes the use of water for irrigation of the 215.1 acres of land described below. Water may be diverted from the South Fork of the Big Nemaha River. The point of diversion is located on the left bank of the stream in the SW¹/₄NE¹/₄ of Section 05, Township 01 North, Range 13 East of the 6th P.M. in Richardson County. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 3.07 cfs (1,378 gallons per minute).

Township 02 North, Range 13 East of the 6 th P.M. in Richardson County		Acres
Section 32:	NW ¹ / ₄ SW ¹ / ₄	39.4
	NE ¹ / ₄ SW ¹ / ₄	39.4
	SW ¹ / ₄ SW ¹ / ₄	39.9
	SE ¹ / ₄ SW ¹ / ₄	39.9
	NW ¹ / ₄ SE ¹ / ₄	39.4
	SW ¹ / ₄ SE ¹ / ₄	<u>17.1</u>
	TOTAL	215.1

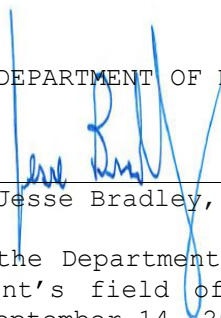
4. On July 16, 2020, Gregory L. and Janice L. Elbert filed a Relinquishment of Water Appropriation, REL-9011, in the office of the Department relinquishing the right to divert water under a portion of appropriation A-13308 for use upon the land described above.
5. On August 28, 2020, Nancy Wittwer, Trustee of the Lois J. Witter Revocable Trust filed a Relinquishment of Water Appropriation, REL-9054, in the office of the Department relinquishing the right to divert water under a portion of appropriation A-13308 for use upon the land described above.
6. Relinquishments REL-9011 and REL-9054 cover all of the land described above and are for relinquishment in full of the right to divert water under A-13308.

ORDER

IT IS HEREBY ORDERED appropriation A-13308 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 14, 2020



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. A copy of this Order was mailed on September 14, 2020, to the following:

Gregory L. and Janice L. Elbert
70 Lakeview Lane
Algona, Iowa 50511

Lois J. Wittwer Revocable Trust
Nancy Wittwer, Trustee
14509 Patrick Avenue
Omaha, Nebraska 68116