

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19556

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19556 is held by Penny Poke Ranch LLC.
2. Appropriation A-19556, with a priority date of August 10, 2017, authorizes the use of water for irrigation of the 235.0 acres of land described below. The water may be diverted from Penny Poke Lake, a natural lake, at a point of diversion located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 04, Township 24 North, Range 23 West of the 6th P.M. in Blaine County. Water diverted shall not exceed 2.0 cubic feet per second (cfs) (900 gallons per minute) of water for irrigation of the 235.0 acres of land described below.

<u>Township 24 North, Range 23 West of the 6th P.M. in Blaine County</u>	<u>Acres</u>	<u>Township 25 North, Range 23 West of the 6th P.M. in Brown County</u>	<u>Acres</u>
Section 04: NE $\frac{1}{4}$ NW $\frac{1}{4}$	7.2	Section 34: SW $\frac{1}{4}$ NW $\frac{1}{4}$	22.9
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.5	SE $\frac{1}{4}$ NW $\frac{1}{4}$	15.8
NW $\frac{1}{4}$ NE $\frac{1}{4}$	24.4	NW $\frac{1}{4}$ SW $\frac{1}{4}$	41.9
NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.6	NE $\frac{1}{4}$ SW $\frac{1}{4}$	36.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.3	SW $\frac{1}{4}$ SW $\frac{1}{4}$	15.3
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.4	SE $\frac{1}{4}$ SW $\frac{1}{4}$	34.4
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>13.4</u>
<u>Township 25 North, Range 23 West of the 6th P.M. in Brown County</u>	<u>Acres</u>	TOTAL	235.0
Section 33: SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.4		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0		

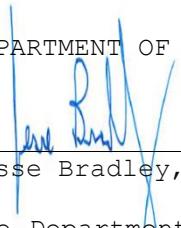
3. The approval of appropriation A-19556 was conditional upon the irrigation of the above land by September 1, 2020.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-19556 had not been irrigated by September 1, 2020.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-19556 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 30, 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 Ord, Nebraska. Copies of this Order and field investigation report were mailed on September 30, 2020, to the following:

Craig Ebberson
Penny Poke Ranch LLC
56445 Highway 57
Coleridge, Nebraska 68727