

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19512

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19512 is held by Scott and Sherry Thomas Land Co., LLC.
2. Appropriation A-19512, with a priority date of April 13, 2017, authorizes the use of water for irrigation of the 115.6 acres of land described below. The water may be diverted from Arkeketa Creek at a point of diversion located on the right bank of the stream in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 07, Township 01 North, Range 09 East of the 6th P.M. in Pawnee County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.65 cfs.

<u>Township 01 North, Range 09 East of the 6th P.M. in Pawnee County</u>	<u>Acres</u>
Section 07: NW $\frac{1}{4}$ SW $\frac{1}{4}$	29.5
NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.3
SW $\frac{1}{4}$ SW $\frac{1}{4}$	29.4
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>27.4</u>
TOTAL	115.6

3. The approval of appropriation A-19512 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-19512 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-19512 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

February 17, 2021

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 February 17, 2021, to the following:

Scott Thomas
Scott and Sherry Thomas Land Co., LLC
42322 South 176th Road
Liberty, Nebraska 68381