

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-14623

AND APPROVAL OF MAP NUMBER 20699

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14623 is held by Michael R. Engel.
2. Appropriation A-14623 has a priority date of January 3, 1977, and authorizes the use of water for irrigation of the 117.5 acres of land described below. The water may be diverted from the Loup River at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 06, Township 16 North, Range 04 West of the 6th P.M. in Nance 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 1.68 cfs.

Township 17 North, Range 01 East of the 6 th P.M. in Platte County		Acres
Section 04:	SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.8
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	16.9
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	17.1
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	18.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>12.7</u>
	TOTAL	117.5

3. On April 12, 2021, Michael R. Engel filed relinquishment REL-9366, relinquishing the right to divert water under a portion of appropriation A-14623 to irrigate the 112.2 acres of land described below.

Township 17 North, Range 01 East of the 6 th P.M. in Platte County		Acres
Section 04:	SW $\frac{1}{4}$ NW $\frac{1}{4}$	20.7
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.8
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	16.9
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	17.1
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	18.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>12.7</u>
	TOTAL	112.2

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-14623 at the rate of 1.60 cfs for use upon the 112.2 acres of land described above is CANCELLED.
2. Appropriation A-14623 now authorizes the appropriator to divert water from the Loup River via the headgate of the Loup River Canal to be withdrawn from a pump site located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 05, Township 17 North, Range 01 East of the 6th P.M. in Platte County to irrigate the 5.3 acres of land described below and depicted on map number 20699 which is made a part of this Order. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.08 cfs (36 gallons per minute).

<u>Township 17 North, Range 01 East of the</u> <u>6th P.M. in Platte County</u>	<u>Acres</u>
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Section 04: SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.3
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3. All terms and conditions of appropriation A-14623 remain in effect unless specifically changed by this Order.
4. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are not limited to, the following:
 - A. Notify the Department of any change in ownership or address.
 - B. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - C. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations. If you are not able to divert sufficient amounts of water, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

April 28, 2021

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20699 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 20699 were mailed on April 28, 2021, to the following:

Michael R. Engel
6021 3 Avenue
Columbus, Nebraska 68601