

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-19626

AND APPROVAL OF MAP NUMBER 20951

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19626 is held by Andy Bredthauer and Glen Bredthauer.
2. Appropriation A-19626, with a priority date of January 28, 2019, authorizes the use of water for irrigation of 210.5 acres of land. The water may be diverted from the North Branch of Mira Creek at points of diversion located on both banks of the stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 18 North, Range 14 West and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 19, Township 18 North, Range 13 West of the 6th P.M. all in Valley County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 3.01 cfs from all points of diversion.
3. The approval of appropriation A-19626 was conditional upon the irrigation of the above land by September 1, 2021.
4. Department personnel performed a field investigation and determined a portion of the land approved for irrigation under appropriation A-19626 had not been irrigated by September 1, 2021.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-19626 at the rate of 0.83 cfs for use upon 58.1 acres of land is CANCELLED.

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, and there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

May 3, 2022

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20951 were provided to the Department's field office in Ord, Nebraska. Copies of the field investigation, this Order and map number 20951 were mailed to the following:

Andy and Glen Bredthauer
105 North 18th Street
Ord, Nebraska 68862

Jay Knapp
47847 806th Road
Ord, Nebraska 68862