

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-19659

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-19659 is held by Jerald and Janine Stewart.
2. Appropriation A-19659, with a priority date of July 1, 2019, authorizes the use of water for irrigation of the 111.5 acres of land described below. The water may be diverted from a tributary to Lime Creek at a point of diversion in the SW¹/₄SW¹/₄ of Section 01, Township 31 North, Range 03 East of the 6th P.M. in Cedar 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 1.59 cfs.

<u>Township 31 North, Range 03 East of the 6th P.M. in Cedar County</u>	<u>Acres</u>
Section 01: SW ¹ / ₄ SW ¹ / ₄	12.5
Section 02: SE ¹ / ₄ SE ¹ / ₄	7.1
Section 11: NE ¹ / ₄ NE ¹ / ₄	31.9
Section 12: NW ¹ / ₄ NW ¹ / ₄	38.1
SW ¹ / ₄ NW ¹ / ₄	<u>21.9</u>
TOTAL	111.5

3. The approval of appropriation A-19659 was conditional upon the irrigation of the above land by September 1, 2022.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-19659 had not been irrigated by September 1, 2022.
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-19659 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



December 13, 2022

Thomas E. Riley, P.E., 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 Norfolk, Nebraska. Copies of this Order and field investigation report were mailed to the following:

Jerald and Janine Stewart
57678 Highway 12
Newcastle, Nebraska 68757