

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-13012

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13012 is held by John T. Tauber.
2. Appropriation A-13012 has a priority date of April 3, 1974, and authorizes the use of water for irrigation of the 14.0 acres of land described below. The water may be diverted from a tributary to Bazile Creek at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 29 North, Range 5 West of the 6th P.M. in Knox 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 0.20 cfs.

Township 29 North, Range 5 West of the 6 th P.M. in Knox County		Acres
Section 21:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>5.0</u>
	TOTAL	14.0

3. On June 26, 2012, John T. Tauber filed a partial relinquishment of water appropriation A-13012, REL-2361, relinquishing the right to divert water under appropriation A-13012 to irrigate the 4.2 acres of land described below.

Township 29 North, Range 5 West of the 6 th P.M. in Knox County		Acres
Section 21:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.1
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>2.1</u>
	TOTAL	4.2

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-13012 at the rate of 0.06 cfs for use upon the land described below is CANCELLED.

Township 29 North, Range 5 West of the 6 th P.M. in Knox County		Acres
Section 21:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.1
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>2.1</u>
	TOTAL	4.2

2. Appropriation A-13012 now authorizes the appropriator to divert water from a tributary to Bazile Creek to irrigate the 9.8 acres of land described below and depicted on map number 18212 which is made a part of this Order. The point of diversion remains in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 29 North, Range 5 West of the 6th P.M. in Knox County. Water diverted shall not exceed the ratio of one cfs for every 70 acres irrigated at a maximum rate of 0.14 cfs (63 gallons per minute).

Township 29 North, Range 5 West of the 6 th P.M. in Knox County		Acres
Section 21:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.9
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>2.9</u>
	TOTAL	9.8

3. All terms and conditions of appropriation A-13012 remain in effect unless specifically changed by this Order.
4. The appropriator must comply with all relevant statutes. This includes, but is 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

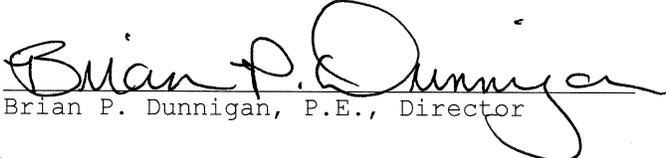
Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,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

July 11, 2012


Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 18212 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 18212 were mailed on July 11, 2012, to the following:

John T. Tauber
P.O. Box 164
Winnetoon, Nebraska 68789