

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-6874

CASE NUMBER 2013-33-C-1

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-6874 is held by Kenneth D. Wardyn.
2. A search of the records of the Sherman County Register of Deeds indicates the land appurtenant to appropriation A-6874 is owned by the Kenneth D. and Cynthia G. Wardyn Revocable Trust.
3. Appropriation A-6874 has a priority date of December 1, 1954, and authorizes the use of water for irrigation of the 34.3 acres of land described below. The water may be diverted from Mud (Beaver) Creek at points of diversion located on the right bank of the stream in the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 33, Township 14 North, Range 16 West of the 6th P.M. in Sherman 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 0.27 cfs from all points of diversion.

<u>Township 14 North, Range 16 West of the</u>	
<u>6th P.M. in Sherman County</u>	
	<u>Acres</u>
Section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$	11.3
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>15.5</u>
TOTAL	34.3

4. On April 11, 2014, Kenneth D. and Cynthia G. Wardyn, Trustees of the Kenneth D. and Cynthia G. Wardyn Trust, filed a Relinquishment of Water Appropriation, REL-5026, in the office of the Department relinquishing the right to divert water under appropriation A-6874 for use upon the land described above.
5. The Department should withdraw from case number 2013-33-CC-1 and act on relinquishment REL-5026 cancelling appropriation A-6874.

IT IS HEREBY ORDERED:

1. Case number 2013-33-CC-1 is DISMISSED.
2. Appropriation A-6874 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 23, 2014


Brian P. Dunnigan, 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 docket clerk and field office in Ord, Nebraska. A copy of this Order was mailed on April 23, 2014, to the following:

Kenneth D. and Cynthia G. Wardyn, Trustees
Kenneth D. and Cynthia G. Wardyn Revocable Trust
46486 780th Road
Litchfield, Nebraska 68852