

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-16347

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that a portion of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW of Section 22, Township 4 North, Range 6 East of the 6th P.M. in Gage County appurtenant to appropriation A-16347 is owned by the Rosetta W. Graves Revocable Trust, Pamela A. Wurdeman, Trustee.
2. Records on file in the Department show that a portion of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 4 North, Range 6 East of the 6th P.M. in Gage County appurtenant to appropriation A-16347 is owned by Connie C. and Kenneth P. Arens.
3. Records on file in the Department show that a portion of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 4 North, Range 6 East of the 6th P.M. in Gage County appurtenant to appropriation A-16347 is owned by Melvin H. and Sandra S. Souder.
4. A search of the records of the Gage County Register of Deeds indicates a portion of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 4 North, Range 6 East of the 6th P.M. in Gage County is owned by the Nebraska Department of Roads.
5. Appropriation A-16347 has a priority date of November 29, 1984, and authorizes the use of water for irrigation of the 32.0 acres of land described below. The water may be diverted from Indian Creek at points of diversion located on the west bank of the stream in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 4 North, Range 6 East of the 6th P.M. in Gage 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 0.45 cfs from all points of diversion.

Township 4 North, Range 6 East of the
6th P.M. in Gage County

	Acres
Section 22: NW $\frac{1}{4}$ SW $\frac{1}{4}$	20.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>1.0</u>
TOTAL	32.0

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

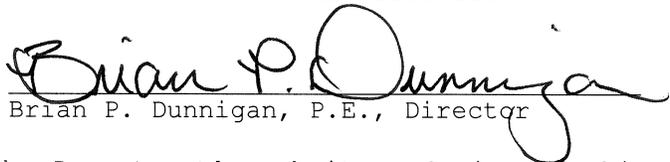
Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution,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

August 19, 2014


 Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and Attachment A were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and Attachment A were mailed on August 19, 2014, to the following:

Pamela Wurdeman, Trustee
 Rosetta Graves Revocable Trust
 P.O. Box 172
 Cortland, Nebraska 68331

Connie C. and Kenneth P. Arens
 1415 North 13th Street
 Beatrice, Nebraska 68310

Melvin H. and Sandra S. Souder
 2724 North 6th Street
 Beatrice, Nebraska 68310

INTERAGENCY
 Robert Frickel, Right of Way Manager
 Nebraska Department of Roads
 1500 Highway 2
 P.O. Box 94759
 Lincoln, Nebraska 68509