

4. On September 8, 2015, Douglas C. and Laurie A. Retzlaff filed relinquishment REL-5519 relinquishing the right to divert water under a portion of appropriation A-12529 to irrigate the 64.2 acres of land described below.

Township 15 North, Range 08 West of the
6th P.M. in Nance County Acres

Section 13: NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0

Township 15 North, Range 08 West of the 6th P.M.
in Nance and Merrick Counties Acres

Section 13:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	13.6
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.5
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.1
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>17.0</u>
	TOTAL	64.2

5. On September 14, 2015, Douglas C. Retzlaff and James J. Glynn, the landowner to whom a portion of appropriation A-12529 will be transferred, filed application NEX-5493 for a permit for a non-expedited transfer of the location of use under appropriation A-12529.

6. On September 14, 2015, Douglas C. Retzlaff filed map number 19312 showing the land proposed to be irrigated under appropriation A-12529 through transfer NEX-5493.

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-12529 at the rate of 0.92 cfs for use upon the land described below is CANCELLED.

Township 15 North, Range 08 West of the
6th P.M. in Nance County Acres

Section 13: NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0

Township 15 North, Range 08 West of the 6th P.M.
in Nance and Merrick Counties Acres

Section 13:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	13.6
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.5
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.1
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>17.0</u>
	TOTAL	64.2

ADDITIONAL INFORMATION

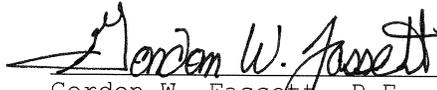
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Approval may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use an 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.

DEPARTMENT OF NATURAL RESOURCES

October 29, 2015


Gordon W. Fasset, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website. Copies of this Order and map number 19312 were provided to the Department's field office in Ord, Nebraska. Copies of this Order and map number 19312 were mailed on October 29, 2015, to the following:

Douglas C. and Laurie A. Retzlaff
625 T Road
Palmer, Nebraska 68864

James J. Glynn
8990 Morgantown Road
Indianapolis, Indiana 46217