

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-12896

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12896 is held by Larry L. Jacobitz and Randy L. Jacobitz.
2. A search of the records of the Adams County Register of Deeds indicates the land appurtenant to appropriation A-12896 an undivided one-half interest in the N $\frac{1}{2}$ of Section 32, Township 07 North, Range 11 West of the 6th P.M. in Adams County, previously owned by Larry L. and Kimberly S. Jacobitz, is currently owned by BCB Farms, L.L.C.
3. The Department has received information that Randy L. Jacobitz's wife, Phyllis J. Jacobitz, may have a spousal interest in the land appurtenant to A-12896.
4. Appropriation A-12896 has a priority date of July 6, 1973, and authorizes the use of water for irrigation of the 200 acres of land described below. The water may be diverted from Vieselmeyer Reservoir at a point of diversion located on the left bank of the reservoir in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 07 North, Range 11 West of the 6th P.M. in Adams County. Water diverted shall not exceed the 40.8 acre-feet per annum.

Township 07 North, Range 11 West of the
6th P.M. in Adams County

	Acres
Section 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$	37
NE $\frac{1}{4}$ NW $\frac{1}{4}$	26
SW $\frac{1}{4}$ NW $\frac{1}{4}$	37
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
NW $\frac{1}{4}$ NE $\frac{1}{4}$	11
SW $\frac{1}{4}$ NE $\frac{1}{4}$	39
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>10</u>
TOTAL	200

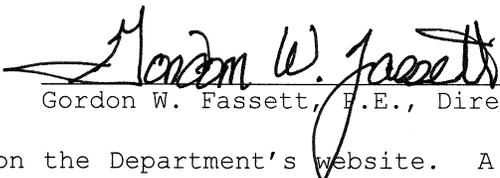
5. On April 4, 2016, Matthew D. Baack, legal counsel for landowners BCB Farms, L.L.C., Randy L. Jacobitz and Phyllis J. Jacobitz, filed a Relinquishment of Water Appropriation, REL-5611, in the office of the Department relinquishing the right to divert water under appropriation A-12896 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-12896 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

May 20, 2016


Gordon W. Fassett, F.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 Lincoln, Nebraska. A copy of this Order was mailed on May 20, 2016, to the following:

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