

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-15423R

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show surface water appropriation A-15423R is held by Richard R. Miles.
2. Appropriation A-15423R authorizes the use of water for irrigation of the 200.0 acres of land described below. The water may be diverted from Otter Creek at a point of diversion located on the right bank of the stream in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 33 North, Range 16 West of the 6th P.M. in Holt County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.86 cfs.

Township 33 North, Range 16 West of the 6 th P.M. in Holt County		Acres
Section 29:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
Section 32:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	20.0
	TOTAL	200.0

2. On November 14, 2008, Richard R. Miles filed application EXT-1581 for a permit for an expedited transfer of the location of use for 156.2 acres of the 200.0 acres under surface water appropriation A-15423R.
3. On November 14, 2008, Richard R. Miles filed application REL-1580 for a partial relinquishment of water appropriation A-15423R, relinquishing the right to divert water under A-15423R, for use on the land described below.

Township 33 North, Range 16 West of the 6 th P.M. in Holt County		Acres
Section 29:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.3
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.6
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.7
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.1
Section 32:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.6
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.5
	TOTAL	43.8

Order

IT IS HEREBY ORDERED:

1. Part of surface water appropriation A-15423R at the rate of 0.63 cfs is CANCELLED for use on the land described below.

Township 33 North, Range 16 West of the 6 th P.M. in Holt County		Acres
Section 29:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.3
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.6
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.7
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.1
Section 32:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.6
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>1.5</u>
TOTAL		43.8

2. Appropriation A-15423R now permits Richard R. Miles to divert water from Otter Creek to irrigate the 156.2 acres of land described below. The point of diversion remains in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 33 North, Range 16 West of the 6th P.M. in Holt County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 2.23 cfs (1001 gallons per minute).

Township 33 North, Range 16 West of the 6 th P.M. in Holt County		Acres
Section 29:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	19.7
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	29.4
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	37.3
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
Section 32:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	11.4
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>18.5</u>
TOTAL		156.2

