

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18553

WATER DIVISION 1-D

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18553 is held by the Lower Big Blue Natural Resources District (District) on behalf of Richard R. Steele Trust, landowner.
2. Appropriation A-18553 was approved by the Department on May 9, 2008.
3. Appropriation A-18553 authorizes the use of water for irrigation of the 125.8 acres of land described below. The water may be diverted from Big Indian Creek Reservoir 14B, storage permit A-12960, at a point of diversion located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, Township 2 North, Range 5 East of the 6<sup>th</sup> P.M. in Gage County. The amount of water diverted shall not exceed 125 acre-feet per year.

Township 2 North, Range 5 East of the 6 <sup>th</sup> P.M. in Gage County		Acres
Section 2:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33.2
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.2
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>22.4</u>
	TOTAL	125.8

4. The approval of A-18553 was conditional upon completion of construction by May 9, 2009.
5. Department personnel performed a field investigation and determined the construction of the diversion works had not been completed for appropriation A-18553 by May 9, 2009.
6. Nebraska Revised Statutes Section 46-238 provides for the cancellation of an appropriation in the event that the appropriator fails to comply with the terms of the approval.

