STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-16225B

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that a portion of surface water appropriation A-16225B located in the N½SW¼ and the N½SW¼SE¼ of Section 16, Township 8 North, Range 4 East of the 6th P.M. is held by Julie A. Larmon.

2. Records on file in the Department of Natural Resources (Department) show that a portion of surface water appropriation A-16225B located in the SW¼ of Section 16, Township 8 North, Range 4 East of the 6th P.M. is held by Douglas W. and Faith E. Keller.

3. Appropriation A-16225B has a priority date of August 4, 1983, and authorizes the use of water for irrigation of the 54.3 acres of land described below. The water may be diverted from the Big Blue River at a point of diversion located on the west bank of the stream in the NE¼SE¼ of Section 16, Township 8 North, Range 4 East of the 6th P.M. in Saline 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 0.78 cfs.

Township 8 North, Range 4 East of the 6th P.M. in Saline County		Acres
Section 16:	SW¼SW¼	35.9
	SE¼SW¼	12.4
	SW¼SE¼	6.0
	TOTAL	54.3

4. On December 22, 2010, Douglas W. and Faith E. Keller filed a partial relinquishment of water appropriation A-16225B, REL-2023, relinquishing the right to divert water under appropriation A-16225B to irrigate the 23.4 acres of land described below.

Township 8 North, Range 4 East of the 6th P.M. in Saline County		Acres
Section 16:	SW¼SW¼	21.7
	SE¼SW¼	1.7
	TOTAL	23.4

ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-16225B at the rate of 0.33 cfs for use upon the land described below is CANCELLED.

Township 8 North, Range 4 East of the 6th P.M. in Saline County		Acres
Section 16:	SW¼SW¼	21.7
	SE¼SW¼	1.7
	TOTAL	23.4

2. Appropriation A-16225B now authorizes the appropriator to divert water from the Big Blue River to irrigate the 30.9 acres of land described below and depicted on map number 17877 which is made a part of this Order. The point of diversion remains on the west bank of the stream in the NE¼SE¼ of Section 16, Township 8 North, Range 4 East of the 6th P.M. in Saline County. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated at a maximum rate of 0.45 cfs (202 gallons per minute).

Township 8 North, Range 4 East of the 6th P.M. in Saline County		Acres
Section 16:	SW¼SW¼	14.2
	SE¼SW¼	10.7
	SW¼SE¼	6.0
	TOTAL	30.9

3. All terms and conditions of appropriation A-16225 and A-16225B remain in effect unless specifically changed by this Order.

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

June 29, 2011

Brian P. Dunnigan

Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 17877 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 17877 were mailed on June 29, 2011, to the following:

Douglas W. and Faith E. Keller
421 County Road 2100
Crete, Nebraska 68333

Julie A. Larmon
12233 West Pioneers Boulevard
Denton, Nebraska 68339