

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-5962

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that a portion of the land located in the NE $\frac{1}{4}$ of Section 16, Township 10 North, Range 3 East of the 6th P.M. in Seward County appurtenant to surface water appropriation A-5962 is owned by the Jay Brinkmeyer Trust.
2. Records on file in the Department of Natural Resources (Department) show that a portion of the land located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, Township 10 North, Range 3 East of the 6th P.M. in Seward County appurtenant to surface water appropriation A-5962 is owned by Mike and Carol Pflughaupt.
3. Appropriation A-5962 has a priority date of February 15, 1954, and authorizes the use of water for irrigation of the 54.0 acres of land described below. The water may be diverted from Crooked Creek at points of diversion located on the right bank of the stream in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, Township 10 North, Range 3 East of the 6th P.M. in Seward County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum combined rate of 0.38 cfs from all points of diversion.

Township 10 North, Range 3 East of the 6 th P.M. in Seward County	Acres
Section 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$	28.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$	15.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>11.0</u>
TOTAL	54.0

4. On February 3, 2014, Jay Brinkmeyer, on behalf of the Jay Brinkmeyer Trust, filed relinquishment REL-4930, relinquishing the right to divert water under a portion of appropriation A-5962 to irrigate the 41.1 acres of land described below.

Township 10 North, Range 3 East of the 6 th P.M. in Seward County	Acres
Section 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.1
SW $\frac{1}{4}$ NE $\frac{1}{4}$	15.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>11.0</u>
TOTAL	41.1

5. On February 5, 2014, Mike and Carol Pflughaupt filed relinquishment REL-4933, relinquishing the right to divert water under a portion of appropriation A-5962 to irrigate the 12.9 acres of land described below.

Township 10 North, Range 3 East of the
6th P.M. in Seward County Acres

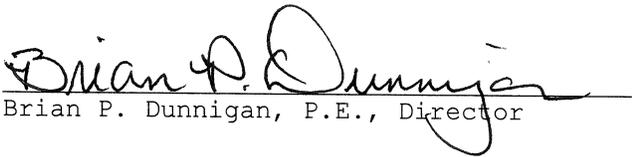
Section 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 12.9

ORDER

IT IS HEREBY ORDERED appropriation A-5962 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

February 19, 2014


Brian P. Dunnigan, P.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 February 19, 2014, to the following:

Jay Brinkmeyer
Jay Brinkmeyer Trust
2917 Splitrail Lane
Lincoln, Nebraska 68506

Mike and Carol Pflughaupt
1090 273rd Road
Seward, Nebraska 67434