

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATIONS A-17799A and A-17799B

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriations A-17799A and A-17799B are held by Niewohner Farms Partnership.
2. Appropriations A-17799A and A-17799B have a priority date of November 23, 1999. The water may be diverted from Beaver Creek at points of diversion located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 21 North, Range 7 West of the 6th P.M. in Boone County.

Appropriation A-17799A authorizes the use of water for irrigation of the 208.0 acres of land described below. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 140 acres irrigated at a maximum combined rate of 1.48 cfs from all points of diversion.

<u>Township 21 North, Range 7 West of the 6th P.M. in Boone County</u>		<u>Acres</u>
Section 14:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	37.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	25.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	12.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	4.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>14.0</u>
	TOTAL	208.0

Appropriation A-17799B authorizes the use of water for irrigation of the 70.2 acres of land described below. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 1.00 cfs from all points of diversion.

<u>Township 21 North, Range 7 West of the</u>		
<u>6th P.M. in Boone County</u>		<u>Acres</u>
Section 14:	NW ¹ / ₄ NW ¹ / ₄	0.9
	NE ¹ / ₄ NW ¹ / ₄	0.9
	SW ¹ / ₄ NW ¹ / ₄	4.2
	SE ¹ / ₄ NW ¹ / ₄	6.2
	NW ³ / ₄ NE ¹ / ₄	14.2
	NE ³ / ₄ NE ¹ / ₄	0.2
	SW ³ / ₄ NE ¹ / ₄	5.6
	SE ³ / ₄ NE ¹ / ₄	18.0
	NE ¹ / ₄ SE ¹ / ₄	<u>20.0</u>
	TOTAL	70.2

3. On June 30, 2011, Jerry Niewohner, Steve Niewohner, Mark Niewohner and Matt Niewohner, on behalf of Niewohner Farms Partnership, filed two Relinquishments of Water Appropriation, REL-2133 and REL-2134, in the office of the Department relinquishing the right to divert water under appropriations A-17799A and A-17799B for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriations A-17799A and A-17799B are CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

July 22, 2011


 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 Norfolk, Nebraska. A copy of this Order was mailed on July 22, 2011, to the following:

Niewohner Farms Partnership
 Jerry Niewohner
 2609 190th Street
 Albion, Nebraska 68620

Mark Niewohner
 2609 190th Street
 Albion, Nebraska 68620

Steve Niewohner
 309 Plantation Street
 Elgin, Nebraska 68636

Matt Niewohner
 500 North Street
 Elgin, Nebraska 68636