

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18653

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18653 is held by the Talbott Family Limited Partnership.
2. Appropriation A-18653, with a priority date of April 1, 2009, authorizes the use of water for irrigation of the 165.4 acres of land described below. The water may be diverted from North Fork of Big Nemaha River at points of diversion located on both banks of the stream in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 25, Township 2 North, Range 14 East of the 6<sup>th</sup> P.M. in Richardson County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum combined rate of 2.36 cfs from all points of diversion.

Township 2 North, Range 14 East of the 6 <sup>th</sup> P.M. in Richardson County		Acres
Section 25:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	37.5
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	21.5
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	36.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	38.0
Section 26:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	16.7
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>15.7</u>
	TOTAL	165.4

3. The approval of appropriation A-18653 was conditional upon the irrigation of the above land by September 1, 2011.
4. Department personnel performed a field investigation and determined the land approved for irrigation under appropriation A-18653 had not been irrigated by September 1, 2011.
5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-18653 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

October 18, 2013

  
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. Copies of this Order and field investigation report were mailed on October 18, 2013, to the following:

Larry and Judy Talbott  
Talbot Family Limited Partnership  
W 574 Bay Road  
Park Falls, Wisconsin 54553

Matt Bauman, Operator  
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Falls City, Nebraska 68355