STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-18285

WATER DIVISION 1-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18285 is held by Alice Jueneman.

2. Appropriation A-18285 authorizes the use of water for irrigation of the 180.4 acres of land described below. The water may be diverted from the Little Blue River at points of diversion located on the left bank of the stream in the SE¼NE¼ and SE¼SE¼ of Section 31, and in the NW¼NW¼ of Section 32, both in Township 1 North, Range 4 East of the 6th P.M. in Jefferson 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 combined rate of 2.58 cfs from all points of diversion.

Township 1 North, Range 4 East of the 6th P.M. in Jefferson County		Acres
Section 31:	SE¼NE¼	0.2
	NE¼SE¼	15.6
	SE¼SE¼	8.6
Section 32:	NW¼NW¼	10.2
	NE¼NW¼	27.0
	SW¼NW¼	35.4
	SE¼NW¼	0.9
	NW¼SW¼	34.9
	NE¼SW¼	3.1
	SW¼SW¼	38.6
	SE¼SW¼	5.9
	TOTAL	180.4

3. The approval of appropriation A-18285 was conditional upon the irrigation of the above lands by September 1, 2009.

4. Department personnel performed a field investigation and determined a portion of the land approved for irrigation under appropriation A-18285 had not been irrigated by September 1, 2009.

5. Nebraska Revised Statutes Section 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

Order

IT IS HEREBY ORDERED:

1. Part of appropriation A-18285 at the rate of 0.43 cfs for use upon the land described below is CANCELLED.

Township 1 North, Range 4 East of the 6th P.M. in Jefferson County		Acres
Section 32:	NW¼NW¼	3.0
	NE¼NW¼	27.0
	TOTAL	30.0

2. Appropriation A-18285 now permits Alice Jueneman to divert water from the Little Blue River to irrigate the 150.4 acres of land described below and depicted on map number 17665 which is made a part of this Order. The points of diversion remain in the SE¼NE¼ and SE¼SE¼ of Section 31, and in the NW¼NW¼ of Section 32, both in Township 1 North, Range 4 East of the 6th P.M. in Jefferson County. The rate that water may be diverted shall not exceed one cfs for every 70 acres irrigated at a maximum combined rate of 2.15 cfs (965 gallons per minute) from all points of diversion.

Township 1 North, Range 4 East of the 6th P.M. in Jefferson County		Acres
Section 31:	SE¼NE¼	0.2
	NE¼SE¼	15.6
	SE¼SE¼	8.6
Section 32:	NW¼NW¼	7.2
	SW¼NW¼	35.4
	SE¼NW¼	0.9
	NW¼SW¼	34.9
	NE¼SW¼	3.1
	SW¼SW¼	38.6
	SE¼SW¼	5.9
	TOTAL	150.4

3. All terms and conditions of appropriation A-18285 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, and there are junior appropriations upstream, you may call for water by contacting your local field office.

DEPARTMENT OF NATURAL RESOURCES

August 30, 2010

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 17665 were provided to the Department's field office in Lincoln, Nebraska. Copies of the field investigation, this Order and map number 17665 were mailed on August 30, 2010, to the following:

Alice Jueneman
1974 All American Road
Hanover, Kansas 66945

John B. Jueneman, Operator
2308 29th Road
Hollenberg, Kansas 66946