

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF CANCELLATION IN PART OF WATER APPROPRIATION A-12291

AND APPROVAL OF MAP NUMBER 21812

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-12291 is held by Kathryn Ann Otto and Tyson G. and Sunny A. Wendt.
2. Appropriation A-12291 has a priority date of **June 4, 1971**, and authorizes the use of water for irrigation of the 28.0 acres of land described below. The water may be diverted from **Deepwell Farms Reservoir**, not to exceed **12.3 acre-feet per annum** granted under storage appropriation A-12083, **in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 10 North, Range 08 West of the 6th P.M. in Hamilton County.**

Township 10 North, Range 08 West of the 6 th P.M. in Hamilton County	Acres
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Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$	28.0
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3. On January 8, 2026, Kathryn Ann Otto filed relinquishment REL-11610, relinquishing the right to divert water under a portion of appropriation A-12291 to irrigate the 7.4 acres of land described below.

Township 10 North, Range 08 West of the 6 th P.M. in Hamilton County	Acres
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Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.4
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ORDER

IT IS HEREBY ORDERED:

1. Part of appropriation A-12291 for use upon the 7.4 acres of land described above is **CANCELLED**.
2. **Authorized Land for Irrigation, Priority and Diversion Rate**
Appropriation A-12291 now authorizes the appropriator the use of water for irrigation of the 20.6 acres of land described below. The water may be diverted from **Deepwell Farms Reservoir**, not to exceed **12.3 acre-feet per annum** granted under storage appropriation A-12083, **in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 10 North, Range 08 West of the 6th P.M. in Hamilton County.**

Township 10 North, Range 08 West of the 6 th P.M. in Hamilton County	Acres
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Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$	20.6
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3. Terms & Conditions of Previous Order(s)

All terms and conditions of appropriation A-12291 remain in effect unless specifically changed by this Order.

4. Ongoing Statutory Requirements

The appropriator must:

- 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 Department 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.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



August 5, 2026

Matthew T. Manning, PE, JD
Chief Water Officer

A copy of this Order was posted on the Department's website. Copies of this Order and map number 21812 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map number 21812 were mailed to the following:

Kathryn Ann Otto
c/o Mark A. & Becky J. Otto
1004 South F Road
Aurora, Nebraska 68818

Tyson G. and Sunny A. Wendt
503 West 8 Road
Giltner, Nebraska 68841