

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-10621

CASE NUMBER 2014-10-PD-1

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-10621 is held by Doyle G. Dowse.
2. A search of the records of the Blaine County Register of Deeds indicates the land appurtenant to appropriation A-10621 is currently owned by David W. From.
3. Appropriation A-10621 with a priority date of April 23, 1965, authorizes the use of water for irrigation of the 1 acre of land described below. The water may be diverted from the Middle Loup River at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6, Township 22 North, Range 25 West of the 6<sup>th</sup> P.M. in Blaine 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 rate of 0.01 cfs.

Township 22 North, Range 25 West of the  
6<sup>th</sup> P.M. in Blaine County                      Acres

Section 6:    SW $\frac{1}{4}$ SW $\frac{1}{4}$     1

4. The Department has received information concerning the use of surface water appropriation A-10621 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
5. On February 21, 2014, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-10621. The Notice was delivered by certified mail to Doyle G. Dowse, 80797 Oak Grove Road, Comstock, Nebraska 68828, and David W. From, P.O. Box 121, Halsey, Nebraska 69142
6. No contest of the Preliminary Determination of Nonuse was received in the Department.
7. The Department has determined that appropriation A-10621 has not been used for its required purpose for more than five consecutive years.

8. *Nebraska Revised Statutes* § 46-229.02 provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.

ORDER

IT IS HEREBY ORDERED appropriation A-10621 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 8, 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 docket clerk and field office in Ord, Nebraska. A copy of this Order was mailed on April 8, 2014, to the following:

Doyle G. Dowse  
80797 Oak Grove Road  
Comstock, Nebraska 68828

David W. From  
P.O. Box 121  
Halsey, Nebraska 69142