

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-16510

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-16510 is held by Donnel L. and Mary Ann Stelling (SLE), Donita Johnson and Denise Bettinger.
2. Appropriation A-16510 has a priority date of July 24, 1986, and authorizes the appropriator to store 25.6 acre-feet of water from a tributary to Spring Creek in Stelling Pond located in the SW $\frac{1}{4}$ of Section 11, Township 2 North, Range 4 West of the 6th P.M. in Thayer County.
3. On December 12, 2014, the Department approved plan 19086 for the modification of Stelling Dam, the existing dam subject to the *Safety of Dams and Reservoirs Act*. The plan P-19086 includes a modification to the riser so that storage capacity at normal pool is reduced to 11.8 acre-feet of water.
4. On April 15, 2015, the Department issued an Approval to Operate for Stelling Dam as a result of the completion of the dam modification. Stelling Dam continues to be subject to the *Safety of Dams and Reservoirs Act*.
5. On April 22, 2015, Donnel L. and Mary Ann Stelling filed a Relinquishment of Water Appropriation, REL-5394, in the office of the Department relinquishing the right to store water under appropriation A-16510 in Stelling Pond because the reservoir no longer is subject to *Neb. Rev. Stat. § 46-241*.
6. On May 1, 2015, Donita Johnson and Denise Bettinger filed a Relinquishment of Water Appropriation, REL-5424, in the office of the Department relinquishing the right to store water under appropriation A-16510 in Stelling Pond because the reservoir no longer is subject to *Neb. Rev. Stat. § 46-241*.

ORDER

IT IS HEREBY ORDERED appropriation A-16510 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

May 27, 2015



James C. Schneider, Ph.D.
Acting 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 Cambridge, Nebraska. A copy of this Order was mailed on May 27, 2015, to the following:

Donnel L. and Mary Ann Stelling
P.O. Box 584
Deshler, Nebraska 68340

Denise Bettinger
1423 Norcross Lane
Severn, Maryland 21144

Donita Johnson
3004 Arden Forest Lane
Bowie, Maryland 20716