

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13637

WATER DIVISION 2-A

Background

Records on file in the Department of Natural Resources (Department) show surface water appropriation A-13637 is held by M. Dean and Milrae Horn.

1. Appropriation A-13637 authorizes the use of water for irrigation of the 34.7 acres of land described below. The water may be diverted from the South Loup River at a point of diversion located on left bank of the stream in the NW14/SW14 of Section 6, Township 13 North, Range 19 West of the 6th P.M. in Custer 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 0.5 cfs.

Township 13 North, Range 20 West of the
6th P.M. in Custer County Acres

Section 1:	NE ¹ / ₄ NE ¹ / ₄	5.10
	SE ¹ / ₄ NE ¹ / ₄	20.39

Township 13 North, Range 19 West of the
6th P.M. in Custer County Acres

Section 6:	SW ¹ / ₄ NW ¹ / ₄	9.00
	NW ¹ / ₄ SW ¹ / ₄	0.21
	TOTAL	34.70

2. On January 26, 2009, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13637. The notice was delivered by certified mail to M. Dean and Milrae Horn, 44441 Cumro Road, Broken Bow, NE 68822.
3. No contest of the Preliminary Determination of Nonuse was received in the Department.
4. Nebraska Revised Statutes Section 46-229.02, provide 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-13637 is CANCELLED.

March 3, 2009

DEPARTMENT OF NATURAL RESOURCES


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 Ord, Nebraska. A copy of this Order was mailed on March 3, 2009, to the following:

M. Dean and Milrae Horn
44441 Cumro Road
Broken Bow, NE 68822