STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18348 AND PLAN P-16654

WATER DIVISION 2-B

Background

1. Plan number P-16654 for surface water appropriation A-18348, was approved by the Department of Natural Resources (Department) on March 9, 2006.

2. Appropriation A-18348 authorizes the Lower Platte South Natural Resources District to impound 54.4 acre-feet of water from a tributary to Mill Creek to be stored in Gaebel Reservoir, located in the NW¼NW¼ of Section 3, Township 11 North, Range 11 East of the 6th P.M. in Cass County.

3. The approval of appropriation A-18348 was conditional upon commencement of construction by September 9, 2006.

4. Department personnel performed a field investigation on October 3, 2008, and determined that construction of A-18348 has not begun.

5. Nebraska Revised Statutes, Sections 46-238 and 46-229.02(7), provide for the cancellation of an appropriation in the event that the appropriator fails to comply with the terms of the approval.

Order

IT IS HEREBY ORDERED that appropriation A-18348 and plan number P-16654 are CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

March 16, 2009

/s/
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website and provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed on March _____, 2009, to the following:

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