

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18445

WATER DIVISION 1-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18445 is held by the Little Blue Natural Resources District (District) on behalf of landowner Robert Wulf.
2. Appropriation A-18445 was approved by the Department on April 30, 2007.
3. Appropriation A-18445 authorizes the use of water for irrigation of the 38.0 acres of land described below. The water may be diverted from Big Sandy Creek Reservoir 35-5-2, storage permit A-16205, at points of diversion located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 5 North, Range 2 West of the 6th P.M. in Fillmore County. The amount of water diverted shall not exceed 38 acre-feet per year.

Township 5 North, Range 2 West of the
6th P.M. in Fillmore County Acres

Section 35: NE $\frac{1}{4}$ NE $\frac{1}{4}$	17.5
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>20.5</u>
TOTAL	38.0

4. The approval of A-18445 was conditional upon completion of construction by April 30, 2008.
5. On April 29, 2009, the Department received correspondence from Mike Onnen, District Manager, on behalf of landowner Robert Wulf, regarding A-18445. Mike Onnen states that the landowner has decided not to pursue the project.
6. Nebraska Revised Statutes Section 46-238 provides for the cancellation of an appropriation in the event that the appropriator fails to comply with the terms of the approval.

