STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-17423

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-17423 is held by Kenneth Backhaus.

2. The Department has received information that Kenneth Backhaus is deceased. A search of the records of the Knox County Register of Deeds indicates the land appurtenant to appropriation A-17423 is owned by the Kenneth L. Backhaus Family Shelter, A. Jean Backhaus and Rick Backhaus, Trustees.

3. Appropriation A-17423 has a priority date of December 9, 1994, and authorizes the use of water for the purpose of washing gravel. The water may be diverted from Bazile Creek at a point of diversion located on the north bank of the stream in the SW¼SE¼ of Section 34, Township 31 North, Range 5 West of the 6th P.M. in Knox County. Water diverted shall not exceed a maximum rate of 2.67 cubic feet per second.

4. On September 5, 2012, A. Jean Backhaus and Rick Backhaus, Trustees of the Kenneth L. Backhaus Family Shelter, filed a Relinquishment of Water Appropriation, REL-2399, in the office of the Department relinquishing the right to divert water under appropriation A-17423 for gravel washing purposes.

ORDER

IT IS HEREBY ORDERED appropriation A-17423 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

October 5, 2012

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 Norfolk, Nebraska. A copy of this Order was mailed on October 5, 2012, to the following:

Kenneth L. Backhaus Family Shelter
A. Jean Backhaus and Rick Backhaus, Trustees
410 553 Avenue
McLean, Nebraska 68747