STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18103

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-18103 is held by Robert Huber.

2. Appropriation A-18103, with a priority date of August 27, 2002, authorizes the use of water for a 6.4 acre wetlands project. The water may be diverted from Rose Creek at a point of diversion located on the west bank of the stream in the SW¼NE¼ of Section 14, Township 1 North, Range 1 East of the 6th P.M. in Jefferson County. The appropriation of water shall not exceed 1.11 cubic feet per second.

3. On June 1, 2005, the Department received correspondence from Robert C. Huber entitled Petition for Extension of This Permit for Another Five Years. The filing fee was not paid; therefore, the correspondence did not qualify as a Petition. The Department did not notify the appropriator of the deficiency.

4. On December 20, 2011, Robert Huber related to Department personnel that water authorized under appropriation A-18103 has never been pumped from Rose Creek for wetland enhancement and he has no plans to develop the project.

5. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of unused portions of surface water appropriations.

ORDER

IT IS HEREBY ORDERED appropriation A-18103 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

January 19, 2012

Brian P. Dunnigan

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 Lincoln, Nebraska. Copies of this Order and field investigation report were mailed on January 19, 2012, to the following:

Robert Huber
6446 Pine Ridge Road
Elkhorn, Nebraska 68022