

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-3282

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-3282 is held by Norman Hand.
2. Appropriation A-3282 has a priority date of October 7, 1940, and authorizes the use of water for irrigation of the 9.6 acres of land described below. The water may be diverted from South Loup River at a point of diversion located on the North bank of the stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 12 North, Range 16 West of the 6th P.M. in Buffalo County. The rate that water may be diverted shall not exceed 0.08 cubic foot per second (cfs).

Township 12 North, Range 16 West of the
6th P.M. in Buffalo County Acres

Section 35:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.2
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.9
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.1
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>2.4</u>
	TOTAL	9.6

3. The Department has received information concerning the use of surface water appropriation A-3282 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On February 27, 2012, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-3282. The notice was delivered by certified mail to Norman Hand Revocable Trust c/o Norman Hand, 106 South Pine Street, 68866.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-3282 has not been used for its required purpose for more than five consecutive years.
7. *Nebraska Revised Statutes* § 46-229.02 provides 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-3282 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 17, 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 Ord, Nebraska. A copy of this Order was mailed on April 17, 2012, to the following:

Norman Hand Revocable Trust
c/o Norman Hand
106 South Pine Street
Pleasanton, Nebraska 68866