

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-6529

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-6529 is held by William M. Watkins.
2. A search of the records of the Logan County Register of Deeds indicates the land appurtenant to appropriation A-6529 includes an owner different than the owner listed in Department Records. This individual is Carolyn A. Watkins.
3. Appropriation A-6529 has a priority date of July 30, 1954, and authorizes the use of water for irrigation of the 40.3 acres of land described below. The water may be diverted from the South Loup River at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 18 North, Range 26 West of the 6th P.M. in Logan County. The rate that water may be diverted shall not exceed 0.43 cubic foot per second (cfs).

Township 18 North, Range 26 West of the 6 th P.M. in Logan County	Acres
Section 28: NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.1
NW $\frac{1}{4}$ NE $\frac{1}{4}$	21.5
NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>17.7</u>
TOTAL	40.3

4. The Department has received information concerning the use of surface water appropriation A-6529 and determined that the appropriation has not been used for its required purpose for more than five consecutive years.
5. On March 21, 2012, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-6529. The notice was delivered by certified mail to William M. Watkins, 243 County Road 65, Arnold, Nebraska 69120; Carolyn A. Watkins, 243 County Road 65, Arnold, Nebraska 69120.
6. No contest of the Preliminary Determination of Nonuse was received in the Department.

7. The Department has determined that appropriation A-6529 has not been used for its required purpose for more than five consecutive years.
8. *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-6529 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

May 11, 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 May 11, 2012, to the following:

William M. Watkins
243 County Road 65
Arnold, Nebraska 69120

Carolyn A. Watkins
243 County Road 65
Arnold, Nebraska 69120