

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13496

CASE NUMBER 2014-18-PD-1

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13496 is held by the Barbara A. Jameson Living Trust.
2. Appropriation A-13496 with a priority date of March 26, 1975, authorizes the use of water for irrigation of the 60.42 acres of land described below. The water may be diverted from a tributary to Weeping Water Creek at a point of diversion located on the left bank of the stream in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 11 North, Range 12 East of the 6th P.M. in Cass County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.86 cfs.

Township 11 North, Range 12 East of the 6 th P.M. in Cass County		Acres
Section 22:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	33.42
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>27.00</u>
	TOTAL	60.42

3. The Department has received information concerning the use of surface water appropriation A-13496 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On May 23, 2014, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13496. The Notice was delivered by certified mail to Barbara A. and William Jameson, Trustees, Barbara A. Jameson Living Trust, 7814 84th Street, Nehawka, Nebraska 68413, and Murray State Bank, 201 East Main Street, P.O. Box 76 Murray, Nebraska 68409.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13496 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-13496 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

July 9, 2014


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 docket clerk and field office in Lincoln, Nebraska. A copy of this Order was mailed on July 9, 2014, to the following:

Barbara A. and William Jameson, Trustees
Barbara A. Jameson Living Trust
7814 84th Street
Nehawka, Nebraska 68413

Murray State Bank
P.O. Box 76
Murray, Nebraska 68409