STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-15502

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15502 is held by Keith E. and Marlene K. Sloan.

2. Appropriation A-15502 has a priority date of June 22, 1979, and authorizes the use of water for irrigation of the 110 acres of land described below. The water may be diverted from the Keith Sloan Reservoir, storage appropriation A-14943, at a point of diversion located in the SE¼NE¼ of Section 13, Township 34 North, Range 21 West of the 6th P.M. in Keya Paha County. The amount of water shall not exceed the amount limited by the Nebraska Statutes during the twelve-month period ending September thirtieth of any year; neither shall the quantity of water diverted exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

Township 34 North, Range 21 West of the 6th P.M. in Keya Paha County		Acres
Section 13:	NE¼NW¼	34
	SE¼NW¼	28
	NW¼NE¼	28
	SW¼NE¼	20
	TOTAL	110

3. The Department has received information concerning the use of surface water appropriation A-15502 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.

4. On April 22, 2010, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-15502. The notice was delivered by certified mail to Keith E. and Marlene K. Sloan, 30395 315th Avenue, Millboro, South Dakota 57580-6123.

5. No contest of the Preliminary Determination of Nonuse was received in the Department.

6. The Department has determined that appropriation A-15502 has not been used for its required purpose for more than five consecutive years.

7. Nebraska Revised Statutes Section 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-15502 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

June 10, 2010

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 June 10, 2010, to the following:

Keith E. and Marlene K. Sloan
30395 315th Avenue
Millboro, South Dakota 57580-6123