

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-17853
AND PLAN OF RESERVOIR 15782

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-17853 is held by Dr. James D. Pillen.
2. A search of the records of the Greeley County Register of Deeds indicates the land appurtenant to appropriation A-17853 includes the names of owners that are different than the owner listed in Department records. These owners are the Donald D. Jensen Living Revocable Trust and the Patricia K. Jensen Living Revocable Trust.
3. Appropriation A-17853, with a priority date of May 15, 2000, authorizes the appropriator to store 139 acre-feet of water from a tributary to Cedar Creek in Site 9-12 Reservoir B located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 17 North, Range 10 West of the 6th P.M. in Greeley County, as shown on plan of reservoir 15782.
4. The approval of appropriation A-17853 was conditional upon commencement of construction by January 14, 2000, and construction completion by October 1, 2001.
5. Department personnel performed a field investigation and determined Site 9-12 Reservoir B was never built and the appropriator is out of compliance with the conditions of the approval.
6. *Nebraska Revised Statutes* § 46-229.02(7) provides for the cancellation of surface water appropriations if the owner fails to comply with any of the conditions of approval in the permit.

ORDER

IT IS HEREBY ORDERED appropriation A-17853 and plan of reservoir 15782 are CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

November 18, 2016


Gordon W. Fassett, 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 Chief of Dam Safety and field office in Ord, Nebraska. Copies of this Order and field investigation report were mailed on November 18, 2016, to the following:

Dr. James D. Pillen
6275 Country Club Drive
Columbus, Nebraska 68601

Donald D. Jensen Living Revocable Trust
Donald D. Jensen, Trustee
795 Cushing Road
Saint Paul, Nebraska 68873

Patricia K. Jensen Living Revocable Trust
Patricia K. Jensen, Trustee
795 Cushing Road
Saint Paul, Nebraska 68873