STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-10934

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-10934 is held by William Williams, Jr., Louise Williams and Rachel Williams.

2. Appropriation A-10934 has a priority date of August 19, 1966, and authorizes the use of water for irrigation of the 55 acres of land described below. The water may be diverted from Sand Draw at points of diversion located on both banks of the stream in the NW¼SW¼, the SE¼NW¼ and the NW¼SE¼ of Section 32, Township 31 North, Range 22 West of the 6th P.M. in Brown County. The rate that water may be diverted shall not exceed 0.78 cubic foot per second (cfs) from all points of diversion.

Township 31 North, Range 22 West of the 6th P.M. in Brown County		Acres
Section 32:	SE¼NW¼	1
	SW¼NE¼	4
	SE¼NE¼	10
	NW¼SW¼	15
	NE¼SW¼	13
	NW¼SE¼	10
	NE¼SE¼	2
	TOTAL	55

3. The Department has received information concerning the use of surface water appropriation A-10934 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-10934. The notice was delivered by certified mail to William Williams, Jr., 401 West South Street, Ainsworth, Nebraska 69210; to Louise Williams, 666 North Oak Street, Ainsworth, Nebraska 69210; and to Rachel Williams, HC 14 Box 511, Valentine, Nebraska 69201.

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

6. The Department has determined that appropriation A-10934 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-10934 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

June 10, 2010

Brian P. Dunnigan

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:

William Williams, Jr.
401 West South Street
Ainsworth, Nebraska 69210

Louise Williams
666 North Oak Street
Ainsworth, Nebraska 69210

Rachel Williams
HC 14 Box 511
Valentine, Nebraska 69201