STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13224

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13224 is held by Pine Ranch, Inc.

2. A search of the records of the Brown County Assessor indicates the land appurtenant to appropriation A-13224 includes the name of owners that are different than the owner listed in Department records. The names are Justin W. and Gena M. Jones.

3. Appropriation A-13224 has a priority date of October 7, 1974, and authorizes the use of water for irrigation of the 93.7 acres of land described below. The water may be diverted from Long Pine Creek at a point of diversion located in the SW¼NE¼ of Section 6, Township 29 North, Range 20 West of the 6th P.M. in Brown County. The rate that water may be diverted shall not exceed 1.34 cubic feet per second (cfs).

Township 30 North, Range 20 West of the 6th P.M. in Brown County		Acres
Section 31:	SE¼SE¼	37.6

Township 29 North, Range 20 West of the 6th P.M. in Brown County		Acres
Section 6:	NE¼NE¼	30.3
	SE¼NE¼	25.8
	TOTAL	93.7

4. The Department has received information concerning the use of surface water appropriation A-13224 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.

5. On April 22, 2010, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13224. The notice was delivered by certified mail to Pine Ranch, Inc., c/o Neil Anderson, PO Box 247, Bassett, Nebraska 68714; and to Justin W. and Gena M. Jones, PO Box 148, Long Pine, Nebraska 69217.

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

7. The Department has determined that appropriation A-13224 has not been used for its required purpose for more than five consecutive years.

8. 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-13224 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:

Pine Ranch, Inc.
c/o Neil Anderson
PO Box 247
Bassett, Nebraska 68714

Justin W. and Gena M. Jones
PO Box 148
Long Pine, Nebraska 69217