

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-14943

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14943 is held by Keith and Marlene K. Sloan.
2. Appropriation A-14943 has a priority date of May 12, 1977. It and plan number P-12512 were approved on April 16, 1979, and authorize Keith and Marlene K. Sloan to impound 92.9 acre-feet of water from East Holt Creek in the Keith Sloan Reservoir located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13, Township 34 North, Range 21 West of the 6<sup>th</sup> P.M. in Keya Paha County.
3. The Department has received information concerning the use of surface water appropriation A-14943 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-14943. The notice was delivered by certified mail to Keith E. and Marlene K. Sloan, 30395 315<sup>th</sup> Avenue, Millboro, South Dakota 57580-6123.
5. The Department has determined that appropriation A-14943 has not been used for its required purpose for more than five consecutive years.
6. No contest of the Preliminary Determination of Nonuse was received in the Department.
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-14943 and plan P-12512 are 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 315<sup>th</sup> Avenue  
Millboro, South Dakota 57580-6123