STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-4333

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4333 is held by Ernest A. and Betty J. Hasch.

2. Appropriation A-4333 has a priority date of August 30, 1948, and authorizes the diversion of 1 acre-foot of water from Sand Creek to be stored in Peacock Reservoir located in the SE¼SE¼ of Section 35, Township 32 North, Range 18 West of the 6th P.M. in Rock County, for the purpose of providing water for Peacock Canal, which is the diversion works for appropriation A-2112.

3. The Department has received information concerning the use of surface water appropriation A-4333 that indicates the appropriation has not been used for its required purpose for more than 5 consecutive years.

4. On April 22, 2010, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-4333. The notice was delivered by certified mail to Ernest A. and Betty J. Hasch, 607 Sunrise Circle, PO Box 403, Bassett, Nebraska 68714.

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

6. The Department has determined that appropriation A-4333 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-4333 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:

Ernest A. and Betty J. Hasch
607 Sunrise Circle
PO Box 403
Bassett, Nebraska 68714