STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9666B

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-9666B is held by Evelyn Moody.

2. Appropriation A-9666B has a priority date of December 12, 1958, and authorizes the use of water for irrigation of the 17.8 acres of land described below. The water may be diverted from Bone Creek at a point of diversion located in the NE¼NE¼ of Section 8, Township 30 North, Range 21 West of the 6th P.M. in Brown County. The rate that water may be diverted shall not exceed 0.25 cubic foot per second (cfs).

Township 30 North, Range 21 West of the 6th P.M. in Brown County		Acres
Section 8:	SE¼NE¼	17.8

3. On August 26, 2010, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-9666B. The notice was delivered by certified mail to Evelyn Moody, RR 2 Box 211, Ainsworth, Nebraska 69210.

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

5. *Nebraska Revised Statutes* § 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-9666B is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

October 22, 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 October 22, 2010, to the following:

Evelyn Moody
RR 2 Box 211
Ainsworth, Nebraska 69210