

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9116

AND DISMISSAL OF PRELIMINARY DETERMINATION OF NONUSE

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-9116 is held by Douglas M. Romshek.
2. Appropriation A-9116 has a priority date of January 21, 1957, and authorizes the use of water for irrigation of the 95 acres of land described below. The water may be diverted from Clear Creek at a point of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 08, Township 16 North, Range 02 East of the 6th P.M. in Butler County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 1.36 cfs.

<u>Township 16 North, Range 02 East of the</u>	<u>Acres</u>
<u>6th P.M. in Butler County</u>	
Section 08: NE $\frac{1}{4}$ NW $\frac{1}{4}$	15
SE $\frac{1}{4}$ NW $\frac{1}{4}$	39
NW $\frac{1}{4}$ NE $\frac{1}{4}$	12
SW $\frac{1}{4}$ NE $\frac{1}{4}$	<u>29</u>
TOTAL	95

3. On March 30, 2023, the Department issued Preliminary Determination of Nonuse, PDNU-9887, concerning the use of surface water appropriation A-9116 and determined that the appropriation had not been used for irrigation purposes for more than five consecutive years as required under Nebraska law.
4. On April 13, 2023, Douglas M. Romshek filed a Relinquishment of Water Appropriation, REL-9860, in the office of the Department relinquishing the right to divert water under appropriation A-9116 for use upon the land described above.
5. Therefore, Preliminary Determination of Nonuse, PDNU-9887, should be dismissed.

ORDER

IT IS HEREBY ORDERED:

1. Preliminary Determination of Nonuse PDNU-9887 is DISMISSED.
2. Appropriation A-9116 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



April 25, 2023

Thomas E. Riley, 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 Lincoln, Nebraska. A copy of this Order was mailed to the following:

Douglas M. Romshek
825 44 Road
Bellwood, Nebraska 68624