

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-10600

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-10600 is held by Laurie J. Harms.
2. Appropriation A-10600 with a priority date of April 5, 1965, authorizes the use of water for irrigation of the 4.9 acres of land described below. The water may be diverted from Badger Branch Creek at points of diversion located on the right bank of the stream in the NW $\frac{1}{4}$ of Section 32, Township 05 North, Range 11 East of the 6th P.M. in Johnson County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 70 acres irrigated at a maximum rate of 0.07 cfs.

<u>Township 05 North, Range 11 East of the</u>	
<u>6th P.M. in Johnson County</u>	<u>Acres</u>

Section 32: NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.9
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3. The Department has received information concerning the use of surface water appropriation A-10600 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On April 17, 2023, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-10600. The Notice was delivered by certified mail to Laurie J. Harms, 2200 North 98th Street, Lincoln, Nebraska 68505.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-10600 has not been used for its required purpose for more than five consecutive years.
7. *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-10600 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



May 22, 2023

Thomas E. Riley, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order were provided to the Department's docket clerk and field office in Lincoln, Nebraska. A copy of this Order was mailed to the following:

Laurie J. Harms
2200 North 98th Street
Lincoln, Nebraska 68505