

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-14282

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14282 is held by Glen E. and Joann Kay Treptow.
2. Appropriation A-14282 with a priority date of June 22, 1976, authorizes the use of water for irrigation of the 152.7 acres of land described below. The water may be diverted from Wahoo Creek at points of diversion located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 14 North, Range 08 East of the 6th P.M. in Saunders 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 combined rate of 2.18 cfs from all points of diversion.

<u>Township 14 North, Range 08 East of the</u>		
<u>6th P.M. in Saunders County</u>		<u>Acres</u>
Section 20:	NE $\frac{1}{4}$ SW $\frac{1}{4}$	15.9
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.4
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.6
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.5
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	4.3
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	38.4
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	31.6
Section 29:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>6.0</u>
	TOTAL	152.7

3. The Department has received information concerning the use of surface water appropriation A-14282 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On March 31, 2023, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-14282. The Notice was delivered by certified mail to Glen E. and Joann Kay Treptow, 1119 County Road 13, Ithaca, Nebraska 68033.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-14282 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-14282 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



May 12, 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:

Glen E. and Joann Kay Treptow
1119 County Road 13
Ithaca, Nebraska 68033