

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-15521

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15521 is held by the University of Nebraska.
2. Appropriation A-15521 with a priority date of July 13, 1979, authorizes the use of water for irrigation of the 80 acres of land described below. The water may be diverted from Silver Creek at a point of diversion located on the right bank of the stream in the NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 35, Township 14 North, Range 08 East of the 6<sup>th</sup> 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 rate of 1.14 cfs.

<u>Township 14 North, Range 08 East of the</u>		
<u>6<sup>th</sup> P.M. in Saunders County</u>		<u>Acres</u>
Section 35:	NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	12
	NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	3
	SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40
	SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	<u>25</u>
	TOTAL	80

3. The Department has received information concerning the use of surface water appropriation A-15521 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On March 30, 2023, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-15521. The Notice was delivered by certified mail to Mark Schroeder, Director, University of Nebraska, Ag Resources & Development Center, 1071 County Road G, 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-15521 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-15521 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



May 12, 2023

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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:

Mark Schroeder, Director  
University of Nebraska  
Ag Resources & Development Center  
1071 County Road G  
Ithaca, Nebraska 68033