

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-11785

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-11785 is held by Scott R. and Krista M. Reed.
2. A search of the records of the Saunders County Register of Deeds indicates a portion of land appurtenant to appropriation A-11785 is owned by Nollan S. Reed
3. Appropriation A-11785 has a priority date of August 25, 1969, and authorizes the use of water for irrigation of the 82.5 acres of land described below. The water may be diverted from Wahoo Creek at a point of diversion located on the right bank of the stream in the NW¹/₄NE¹/₄ of Section 34, Township 13 North, Range 09 East of the 6th P.M. in Saunders 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 1.18 cfs.

<u>Township 13 North, Range 09 East of the 6th P.M. in Saunders County</u>	<u>Acres</u>
Section 34: NW ¹ / ₄ NE ¹ / ₄	28.2
NE ¹ / ₄ NE ¹ / ₄	0.1
SW ¹ / ₄ NE ¹ / ₄	40.0
SE ¹ / ₄ NE ¹ / ₄	<u>14.2</u>
TOTAL	82.5

4. On April 20, 2023, Scott R. and Krista M. Reed filed a Relinquishment of Water Appropriation, REL-9949, in the office of the Department relinquishing the right to divert water under their portion of appropriation A-11785.
5. On July 5, 2023, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-11785. The Notice was delivered by certified mail to Scott R. and Krista M. Reed, 364 Industrial Road, Ashland, Nebraska 68003 and Nollan S. Reed, 380 Industrial Road, Ashland, Nebraska 68003.
6. No contest of the Preliminary Determination of Nonuse was received in the Department.
7. The Department has determined that appropriation A-11785 has not been used for its required purpose for more than five consecutive years.
8. *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-11785 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



August 31, 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:

Scott R. and Krista M. Reed
364 Industrial Road
Ashland, Nebraska 68003

Nollan S. Reed
380 Industrial Road
Ashland, Nebraska 68003