

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-14797

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14797 is held by TGM Company and Kenneth L. Eckhoff and Sandra J. Eckhoff.
2. Appropriation A-14797 with a priority date of March 11, 1977, authorizes the use of water for irrigation of the 130 acres of land described below. The water may be diverted from the Elkhorn River at a point of diversion located on the right bank of the stream in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 16, Township 19 North, Range 08 East of the 6<sup>th</sup> P.M. in Dodge 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 1.86 cfs.

<u>Township 19 North, Range 08 East of the</u>	
<u>6<sup>th</sup> P.M. in Dodge County</u>	
	<u>Acres</u>
Section 16: NW $\frac{1}{4}$ SE $\frac{1}{4}$	30
NE $\frac{1}{4}$ SE $\frac{1}{4}$	24
SW $\frac{1}{4}$ SE $\frac{1}{4}$	36
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>40</u>
TOTAL	130

3. The Department has received information concerning the use of surface water appropriation A-14797 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On December 5, 2023, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-14797. The Notice was delivered by certified mail to TGM Company, 2391 County Road J, Hooper, Nebraska 68031; and Kenneth L. Eckhoff and Sandra J. Eckhoff, 2068 County Road J, Hooper, Nebraska 68031.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-14797 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-14797 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



January 16, 2024

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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 Norfolk, Nebraska. A copy of this Order was mailed to the following:

TGM Company  
2391 County Road J  
Hooper, Nebraska 68031

Kenneth L. Eckhoff and Sandra J. Eckhoff  
2068 County Road J  
Hooper, Nebraska 68031