

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13130

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13130 is held by Lila Petersen.
2. Appropriation A-13130 with a priority date of August 5, 1974, authorizes the use of water for irrigation of the 125.0 acres of land described below. The water may be diverted from Little Bell Creek at a point of diversion located on the left bank of the stream in the SW¹/₄NW¹/₄ of Section 32, Township 19 North, Range 10 East of the 6th P.M. in Washington 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 1.79 cfs.

<u>Township 19 North, Range 10 East of the</u>		
<u>6th P.M. in Washington County</u>		<u>Acres</u>
Section 32:	NW ¹ / ₄ NW ¹ / ₄	40.0
	NE ¹ / ₄ NW ¹ / ₄	4.5
	SW ¹ / ₄ NW ¹ / ₄	36.0
	SE ¹ / ₄ NW ¹ / ₄	4.0
	NW ¹ / ₄ SW ¹ / ₄	29.5
	NE ¹ / ₄ SW ¹ / ₄	<u>11.0</u>
	TOTAL	125.0

3. The Department has received information concerning the use of surface water appropriation A-13130 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On February 13, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13130. The Notice was delivered by certified mail to Lila Petersen, 21870 County Road 18, Arlington, Nebraska 68002.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13130 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-13130 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



March 18, 2024

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:

Lila Petersen
21870 County Road 18
Arlington, Nebraska 68002