

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13432B

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13432B is held by Ridgeview Enterprises LLC and Kirk Estee et al.
2. Appropriation A-13432B with a priority date of February 20, 1975, authorizes the use of water for irrigation of the 12.0 acres of land described below. The water may be diverted from Elkhorn River at a point of diversion located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 19 North, Range 07 East of the 6th P.M. in Dodge County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 140 acres irrigated at a maximum rate of 0.08 cfs.

Township 19 North, Range 07 East of the 6 th P.M. in Dodge County		Acres
Section 13:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.5
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>7.5</u>
	TOTAL	12.0

3. The Department has received information concerning the use of surface water appropriation A-13432B that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On March 5, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13432B. The Notice was delivered by certified mail to Bravo Properties, LLC, 620 North 156th Avenue, Omaha, Nebraska 68118; Ridgeview Enterprises, LLC, 1344 South 162nd Avenue, Omaha, Nebraska 68130; and Kirk Estee et al, 2506 South 95th Circle, Omaha, Nebraska 68124.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13432B 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-13432B is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



April 15, 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:

Bravo Properties, LLC
620 North 156th Avenue
Omaha, Nebraska 68118

Kirk Estee et al
2506 South 95th Circle
Omaha, Nebraska 68124

Ridgeview Enterprises, LLC
1344 South 162nd Avenue
Omaha, Nebraska 68130