

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13482A

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13482A is held by Gale J. and Paula J. Bretschneider.
2. Appropriation A-13482A with a priority date of March 19, 1975, authorizes the use of water for irrigation of the 88 acres of land described below. The water may be diverted Willow Creek at points of diversion located on both banks of the stream in the S½SE¼ of Section 02, Township 25 North, Range 03 West of the 6th P.M. in Pierce 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 combined rate of 1.26 cfs from all points of diversion.

<u>Township 25 North, Range 03 West of the 6th P.M. in Pierce County</u>	<u>Acres</u>
Section 02: NW¼SE¼	40
NE¼SE¼	23
SW¼SE¼	15
SE¼SE¼	<u>10</u>
TOTAL	88

3. The Department has received information concerning the use of surface water appropriation A-13482A that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On April 16, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13482A. The Notice was delivered by certified mail to Gale J. and Paula J. Bretschneider, 85097 546th Avenue, Pierce, Nebraska 68767.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13482A 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-13482A is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



May 21, 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:

Gale J. and Paula J. Bretschneider
85097 546th Avenue
Pierce, Nebraska 68767