

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-13486

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13486 is held by R. Bruce Skinner et al.
2. Appropriation A-13486 with a priority date of March 21, 1975, authorizes the use of water for irrigation of the 160.7 acres of land described below. The water may be diverted from Davis Creek at a point of diversion located on the left bank of the stream in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 20 North, Range 10 East of the 6th P.M. in Burt 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 2.3 cfs.

Township 20 North, Range 10 East of the 6 th P.M. in Burt County		Acres
Section 23:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.6
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	25.3
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.5
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30.3
Section 24:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>40.0</u>
	TOTAL	160.7

3. The Department has received information concerning the use of surface water appropriation A-13486 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On April 2, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13486. The Notice was delivered by certified mail to Bruce Skinner, 3275 County Road AB, Herman, Nebraska 68029 and Bill Skinner, 3150 County Road AB, Herman, Nebraska 68029.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13486 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-13486 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



May 3, 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:

Bruce Skinner
3275 County Road AB
Herman, Nebraska 68029

Bill Skinner
3150 County Road AB
Herman, Nebraska 68029