

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

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

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-13482B is held by Willow Bottom Angus, LLC.
2. Appropriation A-13482B with a priority date of March 19, 1975, authorizes the use of water for irrigation of the 77 acres of land described below. The water may be diverted from 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 6<sup>th</sup> 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 1.10 cfs from all points of diversion.

<u>Township 25 North, Range 03 West of the 6<sup>th</sup> P.M. in Pierce County</u>	<u>Acres</u>
Section 11: NE¼NE¼	37
SE¼NE¼	<u>40</u>
TOTAL	77

3. The Department has received information concerning the use of surface water appropriation A-13482B that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On April 22, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13482B. The Notice was delivered by certified mail to Judine Hintz, 902 West Willow Ridge Road, Norfolk, Nebraska 68701; and Brad Wagner, Willow Bottom Angus, LLC, 1279 North 5<sup>th</sup> Street, Seward, Nebraska 68434.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-13482B 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-13482B is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



June 10, 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:

Judine Hintz  
902 West Willow Ridge Road  
Norfolk, Nebraska 68701

Brad Wagner  
Willow Bottom Angus, LLC  
1279 North 5<sup>th</sup> Street  
Seward, Nebraska 68434