## STATE OF NEBRASKA

#### DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-11008

# WATER DIVISION 1-C

### BACKGROUND

- 1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-11008 is held by 6S Farms, Inc.
- 2. Appropriation A-11008 with a priority date of January 6, 1967, authorizes the use of water for irrigation of the 8 acres of land described below. The water may be diverted from a tributary to Spring Creek at a point of diversion located on the right bank of the stream in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 04, Township 01 North, Range 04 West of the 6<sup>th</sup> P.M. in Thayer 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 0.11 cfs.

Township 01 North, Range 04 West of the 6<sup>th</sup> P.M. in Thayer County Acres

Section 04: NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> 8

- 3. The Department has received information concerning the use of surface water appropriation A-11008 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
- 4. On July 26, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-11008. The Notice was delivered by certified mail to 6S Farms, Inc., 5606 Road S, Carleton, Nebraska 68326.
- 5. No contest of the Preliminary Determination of Nonuse was received in the Department.
- 6. The Department has determined that appropriation A-11008 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-11008 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 12, 2024

Jesse Bradley, P.G., Interim 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 Lincoln, Nebraska. A copy of this Order was mailed to the following:

6S Farms, Inc. 5606 Road S Carleton, Nebraska 68326