

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-11109

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-11109 is held by 6S Farms, Inc.
2. Appropriation A-11109 with a priority date of April 21, 1967, authorizes the use of water for irrigation of the 8 acres of land described below. The water may be diverted from Fintel Reservoir at a point located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 04, Township 01 North, Range 04 West of the 6th P.M. in Thayer County.

<u>Township 01 North, Range 04 West of the 6th P.M. in Thayer County</u>	<u>Acres</u>
Section 04: NE $\frac{1}{4}$ SE $\frac{1}{4}$	8

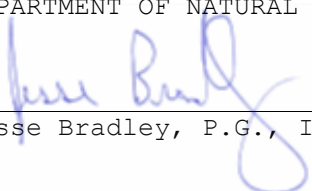
3. The Department has received information concerning the use of surface water appropriation A-11109 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On July 26, 2024, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-11109. 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-11109 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-11109 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