

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-2787A

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2787A is held by Gary L. and Connie R. Novak.
2. Appropriation A-2787A with a priority date of September 14, 1937, authorizes the use of water for irrigation of the 11.5 acres of land described below. The water may be diverted from Shell Creek at a point of diversion located on the left bank of the stream in the NE~~¼~~NE~~¼~~ of Section 30, Township 18 North, Range 01 West of the 6th P.M. in Platte County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 140 acres irrigated at a maximum rate of 0.08 cfs.

<u>Township 18 North, Range 01 West of the 6th P.M. in Platte County</u>	<u>Acres</u>
Section 30: NW ¼ NE ¼	1.5
NE ¼ NE ¼	<u>10.0</u>
TOTAL	11.5

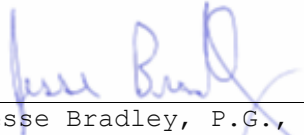
3. The Department has received information concerning the use of surface water appropriation A-2787A that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On January 7, 2025, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-2787A. The Notice was delivered by certified mail to Gary L. and Connie R. Novak, 27751 U.S. Highway 81, Columbus, Nebraska 68601.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-2787A 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-2787A is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

February 12, 2025



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 Norfolk, Nebraska. A copy of this Order was mailed to the following:

Gary L. and Connie R. Novak
27751 U.S. Highway 81
Columbus, Nebraska 68601