

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-14699

CASE NUMBER 2017-16-PD-1

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-14699 is held by Harold Grosvenor.
2. A search of the records of the Dixon County Register of Deeds indicates the land appurtenant to appropriation A-14699 is owned by the Harold Grosvenor Family Limited Partnership.
3. Appropriation A-14699 with a priority date of February 9, 1977, authorizes the use of water for irrigation of the 53 acres of land described below. The water may be diverted from Daily Branch at a point of diversion located on the right bank of the stream in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 26, Township 30 North, Range 04 East of the 6<sup>th</sup> P.M. in Dixon 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 0.76 cfs.

Township 30 North, Range 04 East of the  
6<sup>th</sup> P.M. in Dixon County                      Acres

Section 26: NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	18
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	25
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	<u>10</u>
TOTAL	53

4. The Department has received information concerning the use of surface water appropriation A-14699 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
5. On July 17, 2017, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-14699 requiring a response by August 16, 2017.
6. On July 20, 2017, the Notice was delivered by certified mail to Harold Grosvenor, Harold Grosvenor Family Limited Partnership, 58408 878<sup>th</sup> Road, Ponca, Nebraska 68770.
7. No signed, notarized contest of the Preliminary Determination of Nonuse was received in the Department.

8. The Department has determined that appropriation A-14699 has not been used for its required purpose for more than five consecutive years.
9. *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-14699 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

August 24, 2017

  
Gordon W. Fassett, 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 on August 24, 2017, to the following:

Harold Grosvenor  
Harold Grosvenor Family Limited Partnership  
58408 878<sup>th</sup> Road  
Ponca, Nebraska 68770