

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-16385A

CASE NUMBER 2019-2-CC-1

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-16385A is held by Bernard Haufle.
2. Appropriation A-16385A with a priority date of May 30, 1985, authorizes the use of water for irrigation of the 35.6 acres of land described below. The water may be diverted from the West Fork of the Big Blue River at points of diversion located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 03, Township 08 North, Range 03 East of the 6<sup>th</sup> P.M. in Saline 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 0.51 cfs from all points of diversion.

Township 08 North, Range 03 East of the 6 <sup>th</sup> P.M. in Saline County	Acres
Section 03: NW $\frac{1}{4}$ SW $\frac{1}{4}$	18.6
SW $\frac{1}{4}$ SW $\frac{1}{4}$	<u>17.0</u>
TOTAL	35.6

3. The Department has received information concerning the use of surface water appropriation A-16385A that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On February 19, 2019, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-16385A. The Notice was displayed on the Department's website for over 30 days and delivered by certified mail to Bernard Haufle, 517 County Road 1400, Dorchester, Nebraska 68343.
5. On March 13, 2019, Bernard Haufle filed in the Department a contest of the Preliminary Determination of Nonuse.
6. On August 26, 2019, Bernard Haufle filed in the Department relinquishment REL-7522 relinquishing the right to divert water under appropriation A-16385A for the purpose of irrigation.
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.

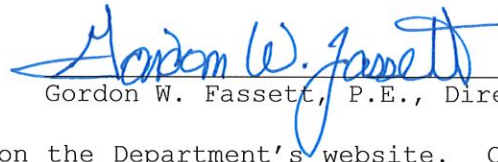
ORDER

IT IS HEREBY ORDERED:

1. Case number 2019-2-CC-1 and Notice of Preliminary Determination of Nonuse, PDNU-7247, are DISMISSED.
2. Appropriation A-16385A is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 5, 2019

  
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 Lincoln, Nebraska. A copy of this Order was mailed on September 5, 2019, to the following:

Bernard Haufle  
517 County Road 1400  
Dorchester, Nebraska 68343