

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-6100

CASE NUMBER 2020-7-PD-1

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-6100 is held by Charles R. and Sarah B. Voecks and Joe A. Sackville.
2. Appropriation A-6100 with a priority date of March 27, 1954, authorizes the use of water for irrigation of the 20 acres of land described below. The water may be diverted from the Elkhorn River at a point of diversion located on the left bank of the stream in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 24 North, Range 03 West of the 6th P.M. in Madison 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 0.14 cfs.

<u>Township 24 North, Range 03 West of the 6th P.M. in Madison County</u>	<u>Acres</u>
Section 24: NW $\frac{1}{4}$ SE $\frac{1}{4}$	16
NE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>4</u>
TOTAL	20

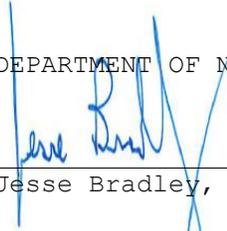
3. The Department has received information concerning the use of surface water appropriation A-6100 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On July 8, 2020, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-6100. The Notice was delivered by certified mail to Charles R. and Sarah B. Voecks, 1710 E S Airport Road, Norfolk, Nebraska 68701; Joe A. Sackville, 2405 Highland Drive, Norfolk, Nebraska 68701; and Stan Sudbeck, Lewis & Clark Realty, 56997 881st Road, Hartington, Nebraska 68739, stans@hartel.net.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-6100 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-6100 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

August 12, 2020



Jesse Bradley, 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 on August 12, 2020, to the following:

Charles R. and Sarah B. Voecks
1710 E S Airport Road
Norfolk, Nebraska 68701

Stan Sudbeck
Lewis & Clark Realty
56997 881st Road
Hartington, Nebraska 68739
stans@hartel.net

Joe A. Sackville
2405 Highland Drive
Norfolk, Nebraska 68701