

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-2277

CASE NUMBER 2020-8-PD-1

WATER DIVISION 1-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-2277 is held by Carrie Zweifel Supplemental Needs Trust.
2. Appropriation A-2277 with a priority date of July 25, 1932, authorizes the use of water for irrigation of the 17.00 acres of land described below. The water may be diverted from the Little Blue River at a point of diversion located in the NW¹/₄NE¹/₄ of Section 09, Township 02 North, Range 02 East of the 6th P.M. in Jefferson County. The rate that water may be diverted shall not exceed 0.25 cubic foot per second (cfs).

<u>Township 02 North, Range 02 East of the 6th P.M. in Jefferson County</u>	<u>Acres</u>
Section 09: NW ¹ / ₄ NE ¹ / ₄	13.57
SW ¹ / ₄ NE ¹ / ₄	<u>3.43</u>
TOTAL	17.00

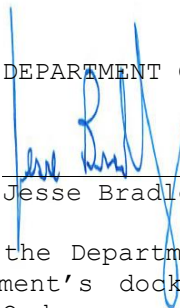
3. The Department has received information concerning the use of surface water appropriation A-2277 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On July 15, 2020, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-2277. The Notice was delivered by certified mail to Darin Baehr, Trust Officer, Carrie Zweifel Supplemental Needs Trust, Pinnacle Bank, 523 Court Street, Beatrice, Nebraska 68310; and Shae Austin, 71290 River Road, Fairbury, Nebraska 68352.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-2277 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-2277 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 3, 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 Lincoln, Nebraska. A copy of this Order was mailed on September 3, 2020, to the following:

Darin Baehr, Trust Officer
Carrie Zweifel Supplemental Needs Trust
Pinnacle Bank
523 Court Street
Beatrice, Nebraska 68310

Shae Austin
71290 River Road
Fairbury, Nebraska 68352