

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9125

WATER DIVISION 2-C

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-9125 is held by Christine Kreycik.
2. Appropriation A-9125 with a priority date of January 22, 1957, authorizes the use of water for irrigation of the 81 acres of land described below. The water may be diverted from the Niobrara River at a point of diversion located on the left bank of the stream in the NW¹/₄SW¹/₄ of Section 29, Township 32 North, Range 07 West of the 6th P.M. in Knox 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 1.16 cfs.

<u>Township 32 North, Range 07 West of the 6th P.M. in Knox County</u>	<u>Acres</u>
Section 29: SW ¹ / ₄ NW ¹ / ₄	40
NW ¹ / ₄ SW ¹ / ₄	36
SW ¹ / ₄ SW ¹ / ₄	<u>5</u>
TOTAL	81

3. The Department has received information concerning the use of surface water appropriation A-9125 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On August 11, 2022, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-9125. The Notice was delivered by certified mail to Christine Kreycik, 89031 517th Avenue, Niobrara, Nebraska 68760 and to Steve Kreycik, 88971 517th Avenue, Niobrara, Nebraska 68760.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-9125 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-9125 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES



September 20, 2022

Thomas E. Riley, 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 field office in Ord, Nebraska. A copy of this Order was mailed to the following:

Christine Kreycik
89031 517th Avenue
Niobrara, Nebraska 68760

Steve Kreycik
88971 517th Avenue
Niobrara, Nebraska 68760