

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-12714

WATER DIVISION 2-A

Background

Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12714 is held by Duane and Brenda Kingston.

1. Appropriation A-12714 authorizes the use of water for irrigation of the 65.5 acres of land described below. The water may be diverted from the South Loup River at a point of diversion located on the right bank of the stream in the SW1/4NE1/4 of Section 17, Township 12 North, Range 17 West of the 6<sup>th</sup> P.M. in Buffalo County, Nebraska. 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 0.93 cfs.
- 2.

Township 12 North, Range 17 West of the		
6 <sup>th</sup> P.M. in Buffalo County		Acres
Section 17:	NW1/4NE1/4	38.5
	SW1/4NE1/4	27.0
	TOTAL	65.5

On March 16, 2009, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-12714. The notice was delivered by certified mail to Duane and Brenda Kingston, 13335 355<sup>th</sup> Road, Amherst, NE 68812.

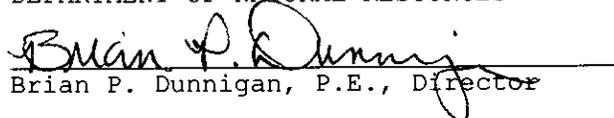
3. No contest of the Preliminary Determination of Nonuse was received in the Department.
4. Nebraska Revised Statutes Section 46-229.02, provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.
- 5.

Order

IT IS HEREBY ORDERED appropriation A-12714 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 17, 2009

  
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Ord, Nebraska. A copy of this Order was mailed on April 17<sup>th</sup>, 2009, to the following:

Duane and Brenda Kingston  
13335 355<sup>th</sup> Road  
Amherst, NE 68812