

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-14012

WATER DIVISION 2-A

Background

Records on file in the Department of Natural Resources (Department) show surface water appropriation A-14012 is held by Fredrick A. Koziol.

1. Appropriation A-14012 authorizes the use of water for irrigation of the 82 acres of land described below. The water may be diverted from the Loup River at a point of diversion located on the left bank of the stream in the SE1/4NE1/4 of Section 13, Township 16 North, Range 6 West of the 6th P.M. in Nance 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 1.17 cfs.

| Township 16 North, Range 6 West of the 6 th P.M. in Nance County | | Acres |
|--|------------|----------|
| Section 13: | NW1/4NE1/4 | 37 |
| | NE1/4NE1/4 | 26 |
| | SW1/4NE1/4 | 17 |
| | SE1/4NE1/4 | <u>2</u> |
| | TOTAL | 82 |

2. On May 19, 2009, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-13637. The notice was delivered by certified mail to Fredrick A. Koziol, 191 E. 1st, Fullerton, NE 68638.
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.

Order

IT IS HEREBY ORDERED appropriation A-14012 is CANCELLED.

December 30, 2009

DEPARTMENT OF NATURAL RESOURCES


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 December 30, 2009, to the following:

Fredrick A. Koziol
191 E. 1st
Fullerton, NE 68638