

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-15159

WATER DIVISION 2-A

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-15159 is held by Richard L. Hartman.
2. Appropriation A-15159 authorizes the use of water for irrigation of the 43 acres of land described below. The water may be diverted from Davis Creek at a point of diversion located on the stream in the NW1/4SW1/4 of Section 35, Township 17 North, Range 12 West of the 6th P.M. in Greeley 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 0.61 cfs.

Township 17 North, Range 12 West of the 6 th P.M. in Greeley County		Acres
Section 35:	NW1/4SW1/4	1.0
	NE1/4SW1/4	10.0
	SW1/4SW1/4	0.3
	SE1/4SW1/4	20.7
	SW1/4SE1/4	<u>11.0</u>
	TOTAL	<u>43.0</u>

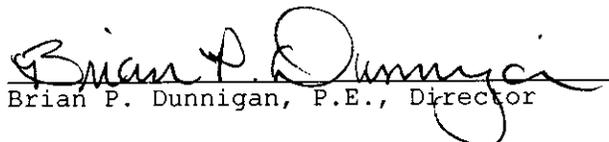
3. On March 16, 2009, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-15159. The notice was delivered by certified mail to Richard L. Hartman, 5075 South Locust, Grand Island, NE 68801.
4. No contest of the Preliminary Determination of Nonuse was received in the Department.
5. 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-15159 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~~th~~, 2009, to the following:

Richard L. Hartman
5075 South Locust
Grand Island, NE 68801

Randall Smith
48929 Davis Creek Road
Scotia, NE 68875