

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-17183

WATER DIVISION 2-A

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-17183 is held by Alan Koperski.
2. Appropriation A-17183 authorizes the use of water for irrigation of the 48.4 acres of land described below. The water may be diverted from Oak Creek at points of diversion located on both banks of the stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, Township 13 North, Range 11 West of the 6th P.M. in Howard 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 combined rate of 0.7 cfs from all points of diversion.

Township 13 North, Range 11 West of the 6 th P.M. in Howard County		Acres
Section 1:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.1
Section 2:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.3
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	18.9
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>20.1</u>
	TOTAL	48.4

3. On March 20, 2009, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-17183. The notice was delivered by certified mail to Alan Koperski, 1905 18th Avenue, Elba, NE 68835.
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.

