STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9666A

WATER DIVISION 2-C

Background

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-9666A is held by Raymond Small.

2. Appropriation A-9666A has a priority date of December 12, 1958, and authorizes the use of water for irrigation of the 7.5 acres of land described below. The water may be diverted from Bone Creek at a point of diversion located in the NE¼NE¼ of Section 8, Township 30 North, Range 21 West of the 6th P.M. in Brown County. The rate that water may be diverted shall not exceed 0.11 cubic foot per second (cfs).

Township 30 North, Range 21 West of the 6th P.M. in Brown County	Acres
Section 8: NE¼NE¼	7.5

3. On April 29, 2010, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-9666A. The notice was delivered by certified mail to Raymond H. and Barbara Small, RR 2 Box 182, Ainsworth, Nebraska 69210.

4. No contest of the Preliminary Determination of Nonuse was received in the Department.

5. *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-9666A is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

October 22, 2010

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 October 22, 2010, to the following:

Raymond H. & Barbara Small
RR 2 Box 182
Ainsworth, Nebraska 69210