

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-12184

CASE NUMBER 2015-26-PD-1

WATER DIVISION 2-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-12184 is held by Alan J. Kneifl and Carol J. Kneifl, husband and wife, and Leland L. Kneifl.
2. Appropriation A-12184 has a priority date of March 12, 1971, and authorizes the use of water for irrigation of the 44 acres of land described below. The water may be diverted from Aowa Creek at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 31 North, Range 05 East of the 6th P.M. in Dixon County. The rate that water may be diverted shall not exceed 0.63 cubic foot per second (cfs).

Township 31 North, Range 05 East of the 6 th P.M. in Dixon County		Acres
Section 20:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	36
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>8</u>
	TOTAL	44

3. The Department has received information concerning the use of surface water appropriation A-12184 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On November 25, 2015, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-12184. The Notice was delivered by certified mail to Alan J. Kneifl, 58633 Highway 12, Newcastle, Nebraska 68757; Carol J. Kneifl, 58633 Highway 12, Newcastle, Nebraska 68757; Leland H. Kneifl, 58611 Highway 12, Newcastle, Nebraska 68757.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-12184 has not been used for its required purpose for more than five consecutive years.
7. *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-12184 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

January 25, 2016


Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website. Copies of this Order were provided to the Department's docket clerk and field office in Norfolk, Nebraska. A copy of this Order was mailed on January 25, 2016, to the following:

Alan J. Kneifl
58633 Highway 12
Newcastle, Nebraska 68757

Carol J. Kneifl
58633 Highway 12
Newcastle, Nebraska 68757

Leland H. Kneifl
58611 Highway 12
Newcastle, Nebraska 68757