

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-8562

CASE NUMBER 2015-9-PD-1

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-8562 is held by George W. Stukenholtz.
2. Appropriation A-8562 with a priority date of May 10, 1956, authorizes the use of water for irrigation of the 84 acres of land described below. The water may be diverted from Rock Creek at points of diversion located on both banks of the stream in the $W\frac{1}{2}NE\frac{1}{4}$ of Section 30, Township 7 North, Range 14 East of the 6th P.M. in Otoe County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 140 acres irrigated at a maximum combined rate of 0.60 cfs from all points of diversion.

Township 7 North, Range 14 East of the 6 th P.M. in Otoe County	Acres
Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$	36
NE $\frac{1}{4}$ NE $\frac{1}{4}$	3
SW $\frac{1}{4}$ NE $\frac{1}{4}$	29
SE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>16</u>
TOTAL	84

3. The Department has received information concerning the use of surface water appropriation A-8562 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On April 29, 2015, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-8562. The Notice was delivered by certified mail to George W. Stukenholtz, 1708 South 62nd Road, Nebraska City, Nebraska 68410; Gregory D. Stukenholtz, 885 South 62nd Road, Nebraska City, Nebraska 68410; and Sheriff James Gress, 1021 Central Avenue, Nebraska City, Nebraska 68410.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-8562 has not been used for its required purpose for more than five consecutive years.

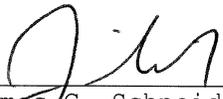
7. *Nebraska Revised Statutes* § 46-229.02 provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.

ORDER

IT IS HEREBY ORDERED appropriation A-8562 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

June 24, 2015



James C. Schneider, Ph.D.
Acting Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's docket clerk and field office in Lincoln, Nebraska. A copy of this Order was mailed on June 24, 2015, to the following:

George W. Stukenholtz
1708 South 62nd Road
Nebraska City, Nebraska 68410

Gregory D. Stukenholtz
885 South 62nd Road
Nebraska City, Nebraska 68410