STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-4322

WATER DIVISION 1-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4322 is held by the Harold Moles Testamentary Trust, and the Avis L. Moles Testamentary Trust.

2. Appropriation A-4322 has a priority date of August 7, 1948, and authorizes the use of water for irrigation of the 70.0 acres of land described below. The water may be diverted from Buffalo Creek at a point of diversion located on the east bank of the stream in the NW¼NW¼ of Section 3, Township 8 North, Range 18 West of the 6th P.M. in Buffalo County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 115 acres irrigated at a maximum rate of 0.61 cfs from all points of diversion.

Township 8 North, Range 18 West of the 6th P.M. in Buffalo County		Acres
Section 3:	NW¼NW¼	5.0
	NE¼NW¼	4.0
	SW¼NW¼	26.0
	SE¼NW¼	8.0
	NW¼SW¼	10.5
	NE¼SW¼	16.5
	TOTAL	70.0

3. Gary Mike Hubbard and Shawn Pedro Hubbard, Trustees of the Harold Moles Testamentary Trust, and Trustees of the Avis L. Moles Testamentary Trust, filed Relinquishment of Water Appropriation, REL-1974, in the office of the Department relinquishing the right to divert water under appropriation A-4322 for use upon the land described above.

ORDER

IT IS HEREBY ORDERED appropriation A-4322 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

December 14, 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 offices in Bridgeport and North Platte, Nebraska. A copy of this Order was mailed on December 14, 2010, to the following:

Harold Moles Testamentary Trust and the
Avis L. Moles Testamentary Trust
c/o Gary Mike Hubbard, Trustee
PO Box 264
Elm Creek, Nebraska 68836

Harold Moles Testamentary Trust and the
Avis L. Moles Testamentary Trust
c/o Shawn Pedro Hubbard, Trustee
PO Box 264
Elm Creek, Nebraska 68836

Cathleen H. Allen
Leininger, Smith, Johnson
Baack, Placzek & Allen
PO Box 790
Grand Island, Nebraska 68802