STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-18491 AND PLAN P-16940

WATER DIVISION 1-D

Background

1. Surface water appropriation A-18491 is held by the Lower Big Blue Natural Resources District.

2. Appropriation A-18491 and plan number P-16940 were approved by the Department on May 22, 2007.

3. Appropriation A-18491 authorizes the appropriator to impound 398.7 acre-feet of water from a tributary to Turkey Creek to be stored in Turkey Creek Reservoir No. 8, located in the NW¼NE¼ extending into the NE¼NW¼ of Section 30, Township 7 North, Range 1 East of the 6th P.M. in Saline County.

4. The approval was conditional upon construction beginning by November 22, 2007.

5. On January 7, 2009, the Department received correspondence from David Ziska, P.E., Olsson Associates, regarding A-18491. He states that the construction has not begun due to delays in obtaining easements.

6. Nebraska revised statutes, section 46-238, provide for the cancellation of an appropriation in the event that the appropriator fails to comply with the terms of the approval.

Order

IT IS THEREFORE ORDERED that appropriation A-18491 and plan number P-16940 are CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

January 13 , 2009

/s/
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website and provided to the Department's field office in Lincoln, Nebraska. A copy of this Order was mailed on January _____, 2009, to the following:

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