

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-7857A

WATER DIVISION 1-D

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-7857A is held by WRS, L.L.C.
2. Appropriation A-7857A with a priority date of August 2, 1955, authorizes the use of water for irrigation of the 64.3 acres of land described below. The water may be diverted from the Big Blue River at points of diversion located in the N<sup>2</sup>/<sub>4</sub>NW<sup>2</sup>/<sub>4</sub> of Section 9, Township 2 North, Range 7 East of the 6<sup>th</sup> P.M. in Gage County. The rate that water may be diverted shall not exceed 0.46 cubic foot per second (cfs) from all points of diversion.

Township 2 North, Range 7 East of the  
6<sup>th</sup> P.M. in Gage County                      Acres

Section 9:	NW <sup>2</sup> / <sub>4</sub> NW <sup>2</sup> / <sub>4</sub>	3.9
	NE <sup>2</sup> / <sub>4</sub> NW <sup>2</sup> / <sub>4</sub>	5.0
	SW <sup>2</sup> / <sub>4</sub> NW <sup>2</sup> / <sub>4</sub>	27.0
	SE <sup>2</sup> / <sub>4</sub> NW <sup>2</sup> / <sub>4</sub>	20.8
	NW <sup>2</sup> / <sub>4</sub> SW <sup>2</sup> / <sub>4</sub>	<u>7.6</u>
	TOTAL	64.3

3. The Department has received information concerning the use of surface water appropriation A-7857A that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On January 20, 2012, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-7857A. The notice was delivered by certified mail to WRS, L.L.C., 440 North 8<sup>th</sup> Street, Suite 140, Lincoln, Nebraska 68508; and to First State Bank, 655 Chestnut Street, Hickman, Nebraska 68372.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-7857A 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-7857A is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

April 17, 2012

  
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 April 17, 2012, to the following:

WRS, L.L.C.  
440 North 8<sup>th</sup> Street, Suite 140  
Lincoln, Nebraska 68508

First State Bank  
655 Chestnut Street  
Hickman, Nebraska 68372