

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-9347 AND  
DISMISSAL OF NOTICE OF PRELIMINARY DETERMINATION OF NONUSE**

WATER DIVISION 2-B

**BACKGROUND**

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-9347 is held by **Robert L. Smeal**.
2. Appropriation A-9347 has a priority date of **March 14, 1957**, and authorizes the use of water for irrigation of the **35.3 acres** of land described below. The water may be diverted from **Pebble Creek** at a point of diversion located on the east bank of the stream in the **SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>** of **Section 21, Township 20 North, Range 06 East of the 6<sup>th</sup> P.M. in Dodge County**. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every **70 acres** irrigated at a maximum rate of **0.50 cfs**.

<u>Township 20 North, Range 06 East of the 6<sup>th</sup> P.M. in Dodge County</u>	<u>Acres</u>
Section 21: SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	27.3
SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	<u>8.0</u>
TOTAL	35.3

3. On February 20, 2026, the Department issued a Notice of Preliminary Determination of Nonuse, PDNU-11653, of appropriation A-9347. The Notice was delivered by certified mail to Robert L. Smeal, 960 County Road E, Scribner, Nebraska 68057.
4. On March 16, 2026, Robert L. Smeal filed a Relinquishment of Water Appropriation, REL-11751, in the office of the Department relinquishing the right to divert water under appropriation A-9347 for use upon the land described above.

**ORDER**

**IT IS HEREBY ORDERED:**

1. Notice of Preliminary Determination of Nonuse PDNU-11653 is **DISMISSED**.
2. Appropriation A-9347 is **CANCELLED**.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



April 27, 2026

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Matthew T. Manning, PE, JD  
Chief Water Officer

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 Norfolk, Nebraska. A copy of this Order was mailed to the following:

Robert L. Smeal  
960 County Road E  
Scribner, Nebraska 68057