

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-8769B**

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-8769B is held by **Lynn R. and Amy K. Selting**.
2. Appropriation A-8769B with a priority date of **August 23, 1956**, authorizes the use of water for irrigation of the **11.1 acres** of land described below. The water may be diverted from **Cedar Creek** at points of diversion located on both banks of the stream in the **NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>** of **Section 03, Township 23 North, Range 06 West of the 6<sup>th</sup> P.M. in Antelope County**. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every **70 acres** irrigated at a maximum combined rate of **0.16 cfs** from all points of diversion.

Township 23 North, Range 06 West of the  
6<sup>th</sup> P.M. in Antelope County Acres

Section 03: W<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> 11.1

3. The Department has received information concerning the use of surface water appropriation A-8769B that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On February 24, 2026, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-8769B. The Notice was delivered by certified mail to Lynn R. and Amy K. Selting, 83984 526 Avenue, Elgin, Nebraska 68636.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-8769B 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-8769B is **CANCELLED**.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



May 20, 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. Copies of this Order were provided to the Department's docket clerk and field office in Norfolk, Nebraska. A copy of this Order was mailed to the following:

Lynn R. and Amy K. Selting  
83984 526 Avenue  
Elgin, Nebraska 68636