

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

NOTICE OF PRELIMINARY DETERMINATION OF NONUSE

OF SURFACE WATER APPROPRIATION A-14801

WATER DIVISION 2-F

1. Department records show that Surface Water Appropriation A-14801 is held by **Barbara Lund; Ross M. and Cheryl J. Lund; Douglas Kraemer; and SCL, LLC.**
2. Appropriation A-14801 has a priority date of **March 14, 1977**, and authorizes use of water for irrigation on **77 acres**, described below. Water may be diverted from **South Creek** at a points of diversion located on the right bank of the stream in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 15** and on the left bank in the **NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 22, both in Township 29 North, Range 05 East of the 6<sup>th</sup> P.M. in Dixon County.** The maximum diversion rate shall not exceed **1.10 cubic feet** per second (cfs) from all points of diversion.

Township 29 North, Range 05 East of the 6 <sup>th</sup> P.M. in Dixon County		Acres
Section 15:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	12
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
Section 22:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	13
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>12</u>
TOTAL		77

3. Based on information received and records reviewed, the Department has determined that Appropriation A-14801 has not been used for irrigation for **more than five consecutive years**, as required by Nebraska law.
4. At this time, the Department is unaware of any sufficient cause for nonuse under **Neb. Rev. Stat. § 46-229.04**.
5. Pursuant to **Neb. Rev. Stat. § 46-229.02**, this Notice serves as preliminary notification that Appropriation A-14801 will be **cancelled** unless this determination is successfully contested.
6. Landowners with a legal interest in the land under this appropriation may:
  - A. Take no action. If no response is received by the deadline, the Department will proceed with cancellation of Appropriation A-14801.
  - B. Contest this determination by submitting the enclosed **contest form** to the Department's Lincoln office (245 Fallbrook Blvd., Suite 100, Lincoln, NE 68521) no later than **January 19, 2026**. **No filing fee is required.**

7. Enclosed with this Notice are:

- Copy of applicable statutes (Neb. Rev. Stat. §§ 46-229 to 46-229.05)
- Blank contest form
- Report of Field Investigation (basis for this determination)
- Partially completed Full Relinquishment of a Surface Water Appropriation form

8. Additional information about cancellation laws can be found at the Nebraska Legislature's website: <http://nebraskalegislature.gov/laws>

9. Questions may be directed to the Department's Permits Section at (402) 471-2186. Business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



December 18, 2025

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Matthew T. Manning, PE, JD  
Chief Water Officer

A copy of this Notice was posted on the Department's website. A copy of this Notice was provided to the Department's docket clerk and field office in Norfolk, Nebraska. Copies of this Notice and enclosures were mailed by certified mail to the following:

Barbara Lund  
87299 5835<sup>th</sup> Avenue  
Allen, Nebraska 68710

Douglas Kraemer  
58275 Highway 20  
Allen, Nebraska 68710

Ross Lund  
87315 5835<sup>th</sup> Avenue  
Allen, Nebraska 68710

Kevin Grosvenor  
7835 West Mossy Cup Street  
Boise, Idaho 83709

Lacey Lynn Knudsen  
57345 5835<sup>th</sup> Avenue  
Allen, Nebraska 68710

Susan Luxford  
SCL, LLC  
5322 O Street  
Lincoln, Nebraska 68510

Bill Schild  
57345 5835<sup>th</sup> Avenue  
Allen, Nebraska 68710