

STATE OF NEBRASKA
DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**NOTICE OF PRELIMINARY DETERMINATION OF NONUSE
OF SURFACE WATER APPROPRIATION A-11090**

WATER DIVISION 2-B

1. Department records show that Surface Water Appropriation A-11090 is held by **David L. and Quana K. Laursen**.
2. A search of the Holt County Register of Deeds indicates the land appurtenant to Appropriation A-11090 has been divided into separate parcels. Additional individuals—other than those listed in Department records—may now be landowners. These include **Evelyn Laursen Trust; Central Valley Ag Co-operative; Cargill, Incorporated; HCT, LLC; John R. Prouty; J.E. Meuret Grain Co., Inc.; Randall J. and Brenda J. Hupp; Adam J. Crist; EHH Shamrock, LLC; Dowd Grain, LLC; Clarence C. and Ann L. Wrede; and Bobby B. and Colleen M. Eby; Laursen O'Neil Car Wash, LLC, and PHD MAXIMUM CROP, LLC.**
3. Appropriation A-11090 has a priority date of **April 3, 1967**, and authorizes use of water for irrigation on **204.4 acres**, described below. Water may be diverted from **the Elkhorn River** at points of diversion located on the left bank of the stream in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and on the right bank in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 29 North, Range 11 West of the 6th P.M. in Holt County.** The maximum diversion rate shall not exceed **2.92 cubic feet** per second (cfs) from all points of diversion.

Section 32:	Township 29 North, Range 11 West of the 6 th P.M. in Holt County	Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$		25.7
NE $\frac{1}{4}$ NE $\frac{1}{4}$		35.4
SW $\frac{1}{4}$ NE $\frac{1}{4}$		13.5
SE $\frac{1}{4}$ NE $\frac{1}{4}$		20.7
NW $\frac{1}{4}$ SE $\frac{1}{4}$		26.4
NE $\frac{1}{4}$ SE $\frac{1}{4}$		17.2
SW $\frac{1}{4}$ SE $\frac{1}{4}$		35.3
SE $\frac{1}{4}$ SE $\frac{1}{4}$		30.2
TOTAL		204.4

4. Based on information received and records reviewed, the Department has determined that Appropriation A-11090 has not been used for irrigation for **more than five consecutive years**, as required by Nebraska law.

5. At this time, the Department is unaware of any sufficient cause for nonuse under **Neb. Rev. Stat. § 46-229.04**.
6. Pursuant to **Neb. Rev. Stat. § 46-229.02**, this Notice serves as preliminary notification that Appropriation A-11090 will be **cancelled** unless this determination is successfully contested.
7. 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-11090.
 - B. Contest this determination by submitting the enclosed **contest form** to the Department's Lincoln office (245 Fallbrook Blvd., Suite 100, Lincoln, NE 68521) **by 5:00 P.M. on February 23, 2026. No filing fee is required.**
8. 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
9. Additional information about cancellation laws can be found at the Nebraska Legislature's website: <http://nebraskalegislature.gov/laws>
10. 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



January 23, 2026

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:

David L. and Quana K. Laursen
49375 Highway 20
O'Neill, Nebraska 68763

Adam J. Crist
49346 Highway 20
O'Neill, Nebraska 68763

David L. Laursen, Trustee
Evelyn Laursen Trust
49375 Highway 20
O'Neill, Nebraska 68763

Katie Wrede
EHH Shamrock, LLC
49368 Highway 20
O'Neill, Nebraska 68763

Seth Stauffer
Central Valley Ag Co-operative
87069 494th Avenue
O'Neill, Nebraska 68763

Rick Gartner
Dowd Grain. LLC
49336 Highway 20
O'Neill, Nebraska 68763

Bill and Stacey Alden
HCT, LLC
48920 887th Road
O'Neill, Nebraska 68763

Jim Meuret
J.E. Meuret Grain Co., Inc.
P.O. Box 146
Brunswick, Nebraska 68720

Justin Rowse
Cargill, Incorporated
87087 494th Avenue
O'Neill, Nebraska 68763

David L. Laursen
Laursen O'Neill Car Wash, LLC
49375 Highway 20
O'Neill, Nebraska 68763

John R. Prouty
P.O. Box 31
O'Neill, Nebraska 68763

Clarence C. And Ann L. Wrede
49367 Pioneer Road
O'Neill, Nebraska 68763

Randall J. and Brenda J. Hupp
P.O. Box 1
O'Neill, Nebraska 68763

Bobby B. and Colleen M. Egy
P.O. Box 55
O'Neill, Nebraska 68763

PHD MAXIMUM CROP, LLC
49360 Highway 20
O'Neill, Nebraska 68763