

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**NOTICE OF PRELIMINARY DETERMINATION OF NONUSE
OF SURFACE WATER APPROPRIATION A-14468**

WATER DIVISION 2-B

1. Department records show that Surface Water Appropriation A-14468 is held by the **Vicky L. Preuss Living Trust**.
2. Appropriation A-14468 has a priority date of **September 16, 1976**, and authorizes use of water for irrigation on **196.77 acres**, described below. Storage water, not to exceed **11.92 acre-feet** per annum, impounded in **Peterson Reservoir (storage appropriation A-14467)** may be diverted from the reservoir for irrigation. A portion of the appropriation is authorized to supplement direct flow appropriations granted under A-13958 and A-14339.

<u>Township 21 North, Range 09 East of the 6th P.M. in Burt County</u>	<u>Acres</u>
Section 02: SW ¹ / ₄ SW ¹ / ₄	35.95
SE ¹ / ₄ SW ¹ / ₄	38.00
NW ¹ / ₄ SE ¹ / ₄	20.00
NE ¹ / ₄ SE ¹ / ₄	37.48
SW ¹ / ₄ SE ¹ / ₄	37.34
SE ¹ / ₄ SE ¹ / ₄	<u>28.00</u>
TOTAL	196.77

3. Based on information received and records reviewed, the Department has determined that Appropriation A-14468 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-14468 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-14468.

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 March 25, 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

February 23, 2026



Jeremy F. Gehle
Surface Water Administrator

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:

Vicky L. Pruess
8429 North 161st Plaza
Bennington, Nebraska 68007

Doug Pruess
2098 County Road 3
Craig, Nebraska 68019