

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**NOTICE OF PRELIMINARY DETERMINATION OF NONUSE
OF SURFACE WATER APPROPRIATION A-16670B**

WATER DIVISION 2-B

1. Department records show that Surface Water Appropriation A-16670B is held by **John and Melinda Hilgenkamp and Steven and Jennefer Hilgenkamp**.
2. Appropriation A-16670B has a priority date of **June 24, 1988**, and authorizes use of water for irrigation on **31.6 acres**, described below. Water may be diverted from **a tributary to Bell Creek** at a point of diversion in the **NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 19 North, Range 09 East of the 6th P.M. in Washington County**. The maximum diversion rate shall not exceed **0.45 cubic feet per second (cfs)**.

<u>Township 19 North, Range 09 East of the 6th P.M. in Washington County</u>		<u>Acres</u>
Section 26:	NW $\frac{1}{4}$ SE $\frac{1}{4}$	24.5
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>7.1</u>
TOTAL		31.6

3. Based on information received and records reviewed, the Department has determined that Appropriation A-16670B 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-16670B 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-16670B.
 - 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 26, 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 24, 2026

Jeremy F. Gehle
Surface Water Division 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:

John and Melinda Hilgenkamp
20724 County Road 24
Arlington, Nebraska 68002

Milt Hilgenkamp
8826 County Road 13
Arlington, Nebraska 68002

Steven and Jennefer Hilgenkamp
21625 County Road 24
Arlington, Nebraska 68002