

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**NOTICE OF PRELIMINARY DETERMINATION OF NONUSE
OF SURFACE WATER APPROPRIATION A-17169**

WATER DIVISION 2-A

1. Department records show that Surface Water Appropriation A-17169 is held by **Ambrose P. Podraza**.
2. Stacey Rae Brockhaus holds a vested remainder interest in the land appurtenant to Appropriation A-17169.
3. Appropriation A-17169 has a priority date of **April 15, 1992**, and authorizes use of water for irrigation on **20.9 acres**, described below. Water may be diverted from **Shell Creek** at points of diversion located in the **NE¹/₄SE¹/₄** of **Section 14, Township 18 North, Range 02 West of the 6th P.M. in Platte County**. The maximum diversion rate shall not exceed **0.30 cubic feet** per second (cfs) from all points of diversion.

<u>Township 18 North, Range 02 West of the 6th P.M. in Platte County</u>	<u>Acres</u>
Section 14: SW ¹ / ₄ NE ¹ / ₄	0.4
SE ¹ / ₄ NE ¹ / ₄	1.2
NW ¹ / ₄ SE ¹ / ₄	6.7
NE ¹ / ₄ SE ¹ / ₄	<u>12.6</u>
TOTAL	20.9

4. Based on information received and records reviewed, the Department has determined that Appropriation A-17169 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-17169 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-17169.

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 27, 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



February 25, 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:

Ambrose P. Podraza
3318 50th Street
Columbus, Nebraska 68601

Stacey Rae Brockhaus
c/o Ambrose P. Podraza
3318 50th Street
Columbus, Nebraska 68601