

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**NOTICE OF PRELIMINARY DETERMINATION OF NONUSE
OF SURFACE WATER APPROPRIATION A-6502**

WATER DIVISION 2-A

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-6502 is held by **Pieper and Mueller**.
2. Appropriation A-6502 has a priority date of **July 28, 1954**, and authorizes use of water for irrigation on **24 acres**, described below. Water may be diverted from **Shell Creek** at a point of diversion located in the **SW¹/₄NE¹/₄** of **Section 20, Township 18 North, Range 02 East of the 6th P.M. in Colfax County**. The maximum diversion rate shall not exceed **0.17 cubic feet** per second (cfs).

<u>Township 18 North, Range 02 East of the 6th P.M. in Colfax County</u>	<u>Acres</u>
Section 20: SW ¹ / ₄ NE ¹ / ₄	4
NW ¹ / ₄ SE ¹ / ₄	<u>20</u>
TOTAL	24

3. Based on information received and records reviewed, the Department has determined that Appropriation A-6502 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-6502 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-6502.
 - 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 May 11, 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



April 10, 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:

Merle C. Mueller
Prairie Village Retirement Ctr #328
3000 39th Avenue
Columbus, Nebraska 68601

Jean F. Mueller Trust
Prairie Village Retirement Ctr #328
3000 39th Avenue
Columbus, Nebraska 68601

C. Adam and Pamela J. Pieper
206 Road H
Richland, Nebraska 68601