

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-14339**

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-14339 is held by the **Vicky L. Preuss Living Trust**.
2. Appropriation A-14339 with a priority date of **July 22, 1976**, authorizes the use of water for irrigation of the **113 acres** of land described below. The water may be diverted from **Bell Creek** at a point of diversion located on the left bank of the stream in the **SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>** of **Section 02, Township 21 North, Range 09 East of the 6<sup>th</sup> P.M. in Burt County**. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every **70 acres** irrigated at a maximum rate of **1.61 cfs**.

Township 21 North, Range 09 East of the 6 <sup>th</sup> P.M. in Burt County	Acres
Section 02: SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	37
SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	38
SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	<u>38</u>
TOTAL	113

3. The Department has received information concerning the use of surface water appropriation A-14339 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On February 23, 2026, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-14339. The Notice was delivered by certified mail to Vicky L. Pruess, 8429 North 161<sup>st</sup> Plaza, Bennington, Nebraska 68007 and Doug Pruess, 2098 County Road 3, Craig, Nebraska 68019.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-14339 has not been used for its required purpose for more than five consecutive years.
7. Nebraska Revised Statutes § 46-229.02 provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.

**ORDER**

**IT IS HEREBY ORDERED** appropriation A-14339 is **CANCELLED**.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



April 27, 2026

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Matthew T. Manning, PE, JD  
Chief Water Officer

A copy of this Order was posted on the Department's website. Copies of this Order were provided to the Department's docket clerk and field office in Norfolk, Nebraska. A copy of this Order was mailed to the following:

Vicky L. Pruess  
8429 North 161<sup>st</sup> Plaza  
Bennington, Nebraska 68007

Doug Pruess  
2098 County Road 3  
Craig, Nebraska 68019