

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-2478A**

WATER DIVISION 1-F

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-2478A is held by **Jesse L. and Tracy D. Pella.**
2. Appropriation A-2478A with a priority date of **September 26, 1934,** authorizes the use of water for irrigation of the **2.75 acres** of land described below. The water may be diverted from **the North Fork of the Big Nemaha River** at points of diversion located in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$**  of **Section 14, Township 05 North, Range 10 East of the 6<sup>th</sup> P.M. in Johnson 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 combined rate of **0.04 cfs** from all points of diversion.

Township 05 North, Range 10 East of the  
6<sup>th</sup> P.M. in Johnson County Acres

Section 14: NE $\frac{1}{4}$ SE $\frac{1}{4}$  2.75

3. The Department has received information concerning the use of surface water appropriation A-2478A that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On February 20, 2026, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-2478A. The Notice was delivered by certified mail to Jesse L. and Tracy D. Pella, 61691 733 Road. Tecumseh, Nebraska 68450.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-2478A 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-2478A is **CANCELLED**.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



April 27, 2026

---

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 Lincoln, Nebraska. A copy of this Order was mailed to the following:

Jesse L. and Tracy D. Pella  
61691 733 Road  
Tecumseh, Nebraska 68450