

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-7049**

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-7049 is held by **John P. and Dail E. Diedrichsen**.
2. Appropriation A-7049 with a priority date of **February 1, 1955**, authorizes the use of water for irrigation of the **120.6 acres** of land described below. The water may be diverted from **Pebble Creek** at a point of diversion located in the **NE $\frac{1}{4}$ SW $\frac{1}{4}$**  of **Section 05, Township 19 North, Range 07 East of the 6<sup>th</sup> P.M. in Dodge County**. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every **140 acres** irrigated at a maximum rate of **0.86 cfs**.

<u>Township 19 North, Range 07 East of the 6<sup>th</sup> P.M. in Dodge County</u>	<u>Acres</u>
Section 05: NE $\frac{1}{4}$ NW $\frac{1}{4}$	3.3
SE $\frac{1}{4}$ NW $\frac{1}{4}$	37.1
SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.6
NE $\frac{1}{4}$ SW $\frac{1}{4}$	32.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	<u>38.6</u>
TOTAL	120.6

3. The Department has received information concerning the use of surface water appropriation A-7049 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
4. On March 2, 2026, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-7049. The Notice was delivered by certified mail to John P. and Dail E. Diedrichsen, 612 County Road 19, Hooper, Nebraska 68031.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-7049 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-7049 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:

John P. and Dail E. Diedrichsen  
612 County Road 19  
Hooper, Nebraska 68031