STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

NOTICE OF PRELIMINARY DETERMINATION OF NONUSE

OF SURFACE WATER APPROPRIATION A-11683

WATER DIVISION 2-B

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-11683 is held by **Glen A. and Tammy Weidner and James D. and Beverly A. Olmer**.

2. Appropriation A-11683 has a priority date of **April 7, 1969**, and authorizes use of water for irrigation on **75.7 acres**, described below. Water may be diverted from **Taylor Creek** at points of diversion located on both banks of the stream in the **NE¼SW¼** of **Section 22, Township 22 North, Range 02 West of the 6th P.M. in Madison County**. The maximum diversion rate shall not exceed **1.08 cubic feet** per second (cfs) from all points of diversion.

Township 22 North, Range 02 West of the 6th P.M. in Madison County		Acres
Section 22:	NW¼SW¼	16.2
	NE¼SW¼	35.0
	SW¼SW¼	9.3
	SE¼SW¼	15.2
	TOTAL	75.7

3. Based on information received and records reviewed, the Department has determined that Appropriation A-11683 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-11683 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-11683.

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 November 30, 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 this link: **https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=46**

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

Mike Thompson

October 30, 2026

Mike Thompson
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:

James D. and Beverly A. Olmer
28758 400 Street
Humprey, Nebraska 68642

Glen A. and Tammy Weidner
34604 490 Street
Humprey, Nebraska 68642