

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-10881

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-10881 is held by **Richard and Nora Eriksen**.
2. Appropriation A-10881 with a priority date of **July 12, 1966**, authorizes the use of water for irrigation of the **232.05 acres** of land described below. The water may be diverted from **Bell Creek** at a point of diversion located on the right bank of the stream in the **NE $\frac{1}{4}$ SE $\frac{1}{4}$** of **Section 34, Township 21 North, Range 09 East of the 6th 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 **3.31 cfs**.

Township 21 North, Range 09 East of the 6 th P.M. in Burt County	Acres
Section 34: NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.00
SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.00
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00
NE $\frac{1}{4}$ SE $\frac{1}{4}$	37.60
SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.00
SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>36.45</u>
TOTAL	232.05

3. The Department has received information concerning the use of surface water appropriation A-10881 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-10881. The Notice was delivered by certified mail to Richard and Nora Eriksen, 2590 County Road H, Tekamah, Nebraska 68061.
5. No contest of the Preliminary Determination of Nonuse was received in the Department.
6. The Department has determined that appropriation A-10881 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-10881 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 Norfolk, Nebraska. A copy of this Order was mailed to the following:

Richard and Nora Eriksen
2590 County Road H
Tekamah, Nebraska 68061