

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-10889**

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-10889 is held by **E & K Family Farms; KKE Farms LLC; Luella A. Ericksen; Victoria Kuhlman and the Village of Craig.**
2. Appropriation A-10889 with a priority date of **July 18, 1966**, authorizes the use of water for irrigation of the **628.44 acres** of land described below. The water may be diverted from **Bell Creek** at points of diversion located on the right bank of the stream in the **SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>** and on the left bank of the stream in the **SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>** of **Section 23, 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 **120 acres** irrigated at a maximum combined rate of **5.24 cfs** from all points of diversion.

Township 21 North, Range 09 East of the 6 <sup>th</sup> P.M. in Burt County	Acres	Township 21 North, Range 09 East of the 6 <sup>th</sup> P.M. in Burt County	Acres
Section 11: SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	20.00	Section 23: NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	18.50
SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	10.00	SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	4.50
		SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	38.00
Section 13: NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	20.00	NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40.00
SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	20.00	NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	38.60
NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	9.84	SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40.00
		SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40.00
Section 14: NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	40.00	Section 24: NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	28.00
NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	37.00	NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	2.00
SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	40.00	SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	38.00
SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	37.00	SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	30.00
NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40.00		
NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	37.00	TOTAL	628.44

3. The Department has received information concerning the use of surface water appropriation A-10889 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.

4. On May 4, 2026, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-10889. The Notice was delivered by certified mail to KKE Farms LLC, Kevin and Diane Eriksen, 5800 Doe Circle Drive, Lincoln, Nebraska 68516; E & K Agri Family Farms, Richard and Nora Eriksen, 2590 County Road H, Tekamah, Nebraska 68061; Victoria Kuhlmann, 1422 I Street, Tekamah, Nebraska 68061; Luella A. Eriksen, c/o Roberta Witherspoon, 834 North 13<sup>th</sup> Street, Blair, Nebraska 68008; and Bart Meyer, Village of Craig, 196 North Main Street, 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-10889 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-10889 is **CANCELLED**.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



June 30, 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:

KKE Farms LLC  
Kevin and Diane Eriksen  
5800 Doe Circle Drive  
Lincoln, Nebraska 68516

Luella A. Eriksen  
c/o Roberta Witherspoon  
834 North 13th Street  
Blair, Nebraska 68008

E & K Agri Family Farms  
Richard and Nora Eriksen  
2590 County Road H  
Tekamah, Nebraska 68061

Bart Meyer  
Village of Craig  
196 North Main Street  
Craig, Nebraska 68019

Victoria Kuhlmann  
1422 I Street  
Tekamah, Nebraska 68061