

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-11088

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-11088 is held by **Eriksen Brothers**.
2. A search of the Burt County Register of Deeds indicates the land appurtenant to Appropriation A-11088 has been divided into separate parcels. Additional individuals—other than those listed in Department records—may now be landowners. These include **Greg and Sandy Brummond, Luella A. Eriksen, Victoria P. Kuhlmann, Village of Craig, Keifer & Kate Farmz LLC, David and Ellen Eriksen, and E 720 Farms LLC**
3. Appropriation A-11088 with a priority date of **April 3, 1967**, authorizes the use of water for irrigation of the **502.0 acres** of land described below. The water may be diverted from **Bell Creek** at a point of diversion located on the left bank of the stream in the **SW¹/₄NE¹/₄** of **Section 23, 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 **7.17 cfs**.

Township 21 North, Range 09 East of the 6 th P.M. in Burt County		Acres
Section 24:	NW ¹ / ₄ NW ¹ / ₄	8.5
	SW ¹ / ₄ NW ¹ / ₄	17.5
Section 25:	NW ¹ / ₄ NW ¹ / ₄	39.0
	NE ¹ / ₄ NW ¹ / ₄	40.0
	SW ¹ / ₄ NW ¹ / ₄	39.0
	SE ¹ / ₄ NW ¹ / ₄	40.0
	NW ¹ / ₄ NE ¹ / ₄	40.0
	NE ¹ / ₄ NE ¹ / ₄	40.0
	SW ¹ / ₄ NE ¹ / ₄	40.0
	SE ¹ / ₄ NE ¹ / ₄	40.0
	NW ¹ / ₄ SE ¹ / ₄	40.0
	NE ¹ / ₄ SE ¹ / ₄	40.0
	SW ¹ / ₄ SE ¹ / ₄	39.0
	SE ¹ / ₄ SE ¹ / ₄	<u>39.0</u>
	TOTAL	502.0

4. The Department has received information concerning the use of surface water appropriation A-11088 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
5. On February 24, 2026, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-11088. The Notice was delivered by certified mail to T. Richard Eriksen, Keifer & Kate Farmz LLC, 2590 County Road H, Tekamah, Nebraska 68061; David and Ellen Eriksen, 607 North Thomas Avenue, Oakland, Nebraska 68045; Bart Meyer, Village of Craig, 196 North Main Street, Craig, Nebraska 68019; Victoria Kuhlmann, 1422 I Street, Tekamah, Nebraska 68061; Luella A. Eriksen, c/o Roberta Witherspoon, 834 North 13th Street, Blair, Nebraska 68008; and Greg L. and Sandy Brummond, 1320 County Road G, Craig, Nebraska 68019.
6. No contest of the Preliminary Determination of Nonuse was received in the Department.
7. The Department has determined that appropriation A-11088 has not been used for its required purpose for more than five consecutive years.
8. 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-11088 is **CANCELLED**.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



June 22, 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:

T. Richard Eriksen
Keifer & Kate Farmz LLC
2590 County Road H
Tekamah, Nebraska 68061

T. Richard Eriksen
E 720 Farms LLC
2590 County Road H
Tekamah, Nebraska 68061

David and Ellen Eriksen
607 North Thomas Avenue
Oakland, Nebraska 68045

Victoria Kuhlmann
1422 I Street
Tekamah, Nebraska 68061

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

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

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1320 County Road G
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