

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER DIVIDING AND CHANGING OWNERSHIP OF APPROPRIATION A-11653

AND APPROVAL OF MAPS NUMBER 21513 AND 21514

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-11653 is currently held by **Richard R. and Janice K. Hake and the Kristin Walden Trust.**
2. Appropriation A-11653 with a priority date of **February 24, 1969,** authorizes the use of water for irrigation of the 284.6 acres of land described below. The water may be diverted from **Union Creek** at points of diversion located on the **left bank of the stream in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 01 Township 21 North, Range 01 West of the 6th P.M. in Madison County and on both banks in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 06, Township 21 North, Range 01 East of the 6th P.M. in Stanton County.** Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every **70 acres** irrigated at a **maximum combined rate of 4.07 cfs** from all points of diversion.

Township 21 North, Range 01 West of the 6 th P.M. in Madison County	Acres
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Section 01:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	18.5
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	19.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0

Township 21 North, Range 01 East of the 6 th P.M. in Stanton County	Acres
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Section 06:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.7
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30.6
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	18.7
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.1

TOTAL	284.6
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3. Appropriation A-11653 was originally granted to a single landowner. The appurtenant land was later divided into distinct parcels to multiple owners. Because of the multiple owners, the Department determined that it is in the best interest of the owners and the State to divide the water appropriation among the owners so that each owner's rights are distinguishable.

ORDER

IT IS HEREBY ORDERED:

1. Appropriation A-11653 is divided into two appropriations, **A-11653A** and **A-11653B**.
2. Appropriation A-11653A authorizes the use of water to irrigate the **58.5 acres** of land described below and depicted on map number 21513, which is made a part of this Order. The water may be diverted from **Union Creek** at a point of diversion located on the left bank of the stream in the **NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 01 Township 21 North, Range 01 West of the 6th P.M. in Madison County**. Water diverted from Union Creek shall not exceed the ratio of one cfs for every **70 acres** irrigated at a maximum rate of **0.84 cfs (377 gallons per minute)**.

Township 21 North, Range 01 West of the 6 th P.M. in Madison County		Acres
Section 01:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>18.5</u>
TOTAL		58.5

3. Appropriation A-11653B authorizes the use of water to irrigate the **226.1 acres** of land described below and depicted on map number 21514, which is made a part of this Order. The water may be diverted from **Union Creek** at points of diversion located on both banks of the stream in the **N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 06, Township 21 North, Range 01 East of the 6th P.M. in Stanton County**. Water diverted from Union Creek shall not exceed the ratio of one cfs for every **70 acres** irrigated at a maximum rate of **3.23 cfs (1450 gallons per minute)**.

Township 21 North, Range 01 West of the 6 th P.M. in Madison County		Acres
Section 01:	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	19.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
Township 21 North, Range 01 East of the 6 th P.M. in Stanton County		Acres
Section 06:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.7
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30.6
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	18.7
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>26.1</u>
TOTAL		226.1

4. All terms and conditions of the approval of appropriation A-11653 remain in effect unless specifically changed by this Order.

ADDITIONAL INFORMATION

Failure to comply with applicable laws, Department Orders, or the terms of this Order may result in cancellation, suspension, administrative penalties, and/or criminal prosecution.

Under Nebraska law, **nonuse** of a perfected appropriation for **more than five consecutive years** may result in its cancellation.

This appropriation **does not guarantee** water availability. Senior appropriations have legal priority. If insufficient water is available, junior appropriators may be closed. Appropriators may request enforcement action by contacting the local field office.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



July 13, 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 and maps number 21513 and 21514 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and maps number 21513 and 21514 were mailed to the following:

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