STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

NOTICE OF PRELIMINARY DETERMINATION OF NONUSE

OF SURFACE WATER APPROPRIATION A-9193

WATER DIVISION 2-B

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-9193 is held by **Dale L. Hekrdle and John and Connie Hekrdle, Trustees**.

2. Appropriation A-9193 has a priority date of **February 14, 1957**, and authorizes use of water for irrigation on **60.5 acres**, described below. Water may be diverted from **Union Creek** at points of diversion located on the left bank of the stream in the **NW¼SW¼ and in the SW¼NW¼** of **Section 22, Township 22 North, Range 01 East of the 6th P.M. in Stanton County**. The maximum diversion rate shall not exceed **0.86 cubic foot feet** per second (cfs) from all points of diversion.

Township 22 North, Range 01 East of the 6th P.M. in Stanton County		Acres
Section 22:	NW¼NW¼	12.0
	NE¼NW¼	6.0
	SW¼NW¼	20.3
	SE¼NW¼	9.7
	NW¼SW¼	12.5
	TOTAL	60.5

3. Based on information received and records reviewed, the Department has determined that Appropriation A-9193 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-9193 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-9193.

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 December 23, 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

November 23, 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:

Dale L. Hekrdle
56146 Union Creek Road
Stanton, Nebraska 68779

John and Connie Hekrdle
56067 Union Creek Road
Madison, Nebraska 68748