STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING EXTENSION OF TIME BY PETITION EOT-2032

TO FILE MAP FOR WATER APPROPRIATION A-768

PATHFINDER IRRIGATION DISTRICT

WATER DIVISION 1-A

BACKGROUND

1. On November 18, 1994, the Pathfinder Irrigation District (District) petitioned the Department of Natural Resources (Department) requesting a twelve-month extension of time in which to file the map for transfers T-246, T-276 and T-277. This extension was requested due to delays in pursuing the best method available to provide maps. The deadline for filing the map was extended until November 22, 1995.

2. On April 26, 1995, the District petitioned the Department requesting a one-year extension of time in which to file the map for transfer T-333. This extension was requested due to the time needed to complete the mapping training program. The deadline for filing the map was extended until April 28, 1996.

3. On December 30, 1996, the District filed preliminary map number 15531 to meet the map filing requirements for T-246, T-276, T-277, T-333 and T-434. This map was returned to the District for correction in 1999.

4. On January 28, 1999, the Department approved the District's petition for exclusion of approximately 160 acres located in the SE¼ of Section 27, Township 21 North, Range 51 West from within its boundaries. The approval was conditioned upon a map being filed by July 28, 1999, showing the current boundaries of the District.

5. During 1999, the Department approved transfer application T-705 as well as the District's petition to exclude land from within its boundary. Both actions required the filing of a map during 1999. In July 1999, the District petitioned the Department requesting that the deadline to re-file corrected map number 15531 be extended to February 2001. The Department granted its petition and required the corrected map to include all the modifications approved to date.

6. In August of 2000, the Department approved the District's transfer application T-796, which also required a map. The District subsequently requested and the Department approved an extension to file its corrected map number 15531 until February 26, 2003.

7. On February 7, 2003, the District petitioned the Department requesting an extension of time in which to file corrected map number 15531, due to inconsistencies in old documents used to site appropriation locations on the map, a potential pilot project utilizing GIS, and legislation being developed at that time that could affect State Line Canal mapping requirements. The map filing deadline was extended to February 26, 2006.

8. On February 6, 2006, the District petitioned the Department requesting a three-year extension of time in which to complete corrected map number 15531. This extension was requested due to unresolved issues concerning district maps. The deadline for re-filing map number 15531 was extended until February 26, 2009.

9. On November 6, 2007, the Department approved transfer T-1299. The approval was conditioned upon a project map being filed by May 6, 2008.

10. On February 12, 2008, the District petitioned the Department requesting an extension of time in which to file the map of transfers T-796 and T-1299 to coincide with due date of project map number 15531, which was February 26, 2009. The deadline for filing the map was extended until February 26, 2009.

11. On April 18, 2008, and again on May 23, 2008, the District filed relinquishments of appropriation, REL-1483 and REL-1501, and notifications of assignment of rights, AOR-1484 and AOR-1500, in the Department for portions of A-768. A map is not required of the appropriator when filing relinquishment or assignment of rights in the Department.

12. On February 3, 2009, the District petitioned the Department requesting a two-year extension in which to file the map of transfers T-796 and T-1299, and re-file map number 15531. The petitioner is meeting with the District's board of directors to gain approval to purchase ESRI software. The map filing deadline was extended to February 6, 2011.

13. On Aril 27, 2009, the District filed relinquishment of appropriation, REL-1669, and notification of assignment of rights, AOR-1670, in the Department for portions of A-768. A map is not required of the appropriator when filing relinquishment or assignment of rights in the Department.

14. On January 22, 2010, the District filed relinquishment of appropriation, REL-1864, and notification of assignment of rights, AOR-1865, for portions of A-768. A map is not required of the appropriator when filing in the Department a relinquishment or assignment of rights.

15. The following table lists the transfers of location of use, and boundary changes approved by the Department for water appropriation A-768 held by the District beginning May 27, 1994, and associated original map filing dates. The table also lists approved extensions to those map filing dates:

Transfer Application Number(s)	Transfer or Boundary Change Approval Date	Original Map Filing Date	Map Filing Dates by Extensions Granted
T-246, T-276 & T-277	05-27-1994	11-27-1994	11-22-1995 12-31-1996 02-10-2001 02-26-2003 02-26-2006 02-26-2009 02-06-2011
T-333	10-28-1994	04-28-1995	04-28-1996 12-31-1996 02-10-2001 02-26-2003 02-26-2006 02-26-2009 02-06-2011
T-434	05-17-1996	11-17-1996	12-31-1996 02-10-2001 02-26-2003 02-26-2006 02-26-2009 02-06-2011
Boundary Exclusion	01-28-1999	7-28-1999	02-10-2001 02-26-2003 02-26-2006 02-26-2009 02-06-2011
T-705 & Boundary Exclusion	06-10-1999	12-10-1999	02-10-2001 02-26-2003 02-26-2006 02-26-2009 02-06-2011
T-1299	11-06-2007	05-06-2008	02-26-2009 02-06-2011

16. On January 24, 2011, the District filed petition EOT-2032 requesting an extension of time in which to file project map number 15531 showing all previous modifications. The District requests the deadline be extended for eighteen months to allow time to complete a thorough review of the nearly complete map.

ORDER

IT IS HEREBY ORDERED:

1. The extension request by petition EOT-2032 is hereby GRANTED.

2. The filing deadline to file project map number 15531 showing all previous modifications is extended to August 6, 2012.

3. All other conditions of A-768 remain in effect.

DEPARTMENT OF NATURAL RESOURCES

May 5, 2011

Brian P. Dunnigan

Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure 454 Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (4th Floor Nebraska State Office Building, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of $10.

A copy of this Order was posted on the Department's website. Copies of this Order were provided to the Department's field office in Bridgeport, Nebraska. A copy of this Order was mailed on May 5, 2011, to the following:

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Pathfinder Irrigation District
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Mitchell, Nebraska 69357

John Lawson
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