

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF PROVISIONAL RELINQUISHMENTS (CANCELLATION) PREL-11295, PREL-11296

AND NOTIFICATION OF REASSIGNMENT REA-11297

OF WATER APPROPRIATION A-768

WATER DIVISION 1-A

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that surface water appropriation A-768 is held by the Pathfinder Irrigation District (District).
2. Appropriation A-768, with a priority date of September 19, 1904, authorizes the use of water for irrigation of 110,040.0 acres. The natural flow and storage water may be diverted from the North Platte River via the Interstate Canal headgate located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 26 North, Range 65 West of the 6th P.M. in Wyoming.
3. On June 9, 2025, the District and individual landowners filed in the Department Provisional Relinquishments PREL-11295 and PREL-11296 to provisionally relinquish the right to irrigate portions of land under appropriation A-768 and Notification of Reassignment REA-11297 to reassign portions of appropriation A-768 previously relinquished.

ORDER

IT IS HEREBY ORDERED:

1. A portion of the water under A-768 diverted from the North Platte River through the Interstate Canal, described in **Attachment A**, provisionally relinquished in PREL-11295 and PREL-11296 is CANCELLED.
2. The Department acknowledges REA-11297 to reassign a portion of water under A-768 for use upon the land described in **Attachment A** as shown on map number 21635.
3. The right to divert natural flow and storage water from the North Platte River to irrigate the 110,040.0 acres of land under A-768 via the Interstate Canal headgate located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 26 North, Range 65 West of the 6th P.M. in Wyoming shall remain IN FULL FORCE AND EFFECT.
4. All terms and conditions of appropriation A-768 remain in effect unless specifically changed by this Order.
5. Pursuant to Neb. Rev. Stat. § 46-229.04(5) the District may assign, within 5 years of the Order of Cancellation by the Department, the relinquished portion of an appropriation.

6. **Attachment A** is hereby made a part of this Order.
7. The appropriator must comply with all relevant statutes. This includes, but is not limited to, the following:
 - A. Receiving approval prior to taking any action that changes the location of the point of diversion, a transfer of the location of the place of use, a relinquishment of a portion of the appropriation, the type of use, or the type of appropriation.
 - B. Notify the Department of any reassignment of relinquished portions of an appropriation.
 - C. Comply with all relevant notices and orders of the Department.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Department may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for five consecutive years may result in cancellation of the appropriation.

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT



July 21, 2025

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 map number 21635 were provided to the Department's field office in Bridgeport, Nebraska and mailed to the following:

Rick Miller, General Manager
Pathfinder Irrigation District
P.O. Box 338
Mitchell, Nebraska 69357

U.S. Bureau of Reclamation
c/o Lyle Myler
P.O. Box 1630
Mills, Wyoming 82644

ATTACHMENT A Pathfinder Irrigation District Land Listing of PREL-11295 PREL-11296 and REA-11297				
A-768 (Right ID 32 & 33)				
Legal Description	County	PREL-11295 Acres Out	PREL-11296 Acres Out	REA-11297 Acres In
T24N-R57W				
NE SW S32-T24N-R57W	Sioux	16.0		
T23N-R57W				
NW NW S06-T23N-R57W	Scotts Bluff			16.4
NE NW S06-T23N-R57W	Scotts Bluff		1.6	22.0
SE NW S06-T23N-R57W	Scotts Bluff		2.6	
NW NE S06-T23N-R57W	Scotts Bluff		11.5	0.4
NE NE S06-T23N-R57W	Scotts Bluff			29.4
SW NE S06-T23N-R57W	Scotts Bluff		16.8	
SE NE S06-T23N-R57W	Scotts Bluff			1.1
NE SE S08-T23N-R57W	Scotts Bluff		15.8	
SE SE S08-T23N-R57W	Scotts Bluff		5.0	
Total		16.0	53.3	69.3