

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF PROVISIONAL RELINQUISHMENTS (CANCELLATION)

PREL-11444 THROUGH PREL-11448

AND NOTIFICATION OF REASSIGNMENTS REA-11449 THROUGH REA-11453

OF WATER APPROPRIATIONS D-477, D-477R, A-936, A-15828 AND A-15829

WATER DIVISION 2-D

BACKGROUND

1. Records on file in the Department of Water, Energy , and Environment (Department) show that surface water appropriations D-477, D-477R, A-936, A-15828 and A-15829 are held by the White River Irrigation District (District). The appropriations allow the District to divert water from the White River and Souther Reservoir for irrigation as summarized on **Attachment A**.
2. On September 16, 2025, the District and individual landowners filed in the Department Provisional Relinquishment PREL-11444 through PREL-11448 to provisionally relinquish the right to irrigate portions of land under appropriations D-477, D-477R, A-936, A-15828 and A-15829 respectively and Notification of Reassignment REA-11449 through REA-11453 to reassign portions of the appropriations previously relinquished.

ORDER

IT IS HEREBY ORDERED:

1. A portion of the water under D-477, D-477R, A-936, A-15828 and A-15829 from the White River and Souther Reservoir for use upon the land described in **Attachment B** is CANCELLED.
2. The Department acknowledges REA-11449 through REA-11453 to reassign portions of water under D-477, D-447R, A-936, A-15828 and A-15829 for use upon the land described in **Attachment B** as shown on map number 21674.
3. The land depicted on map number 21674 only represents the change of location of acres under D-477, D-447R, A-936, A-15828 and A-15829 through relinquishments PREL-11444 through PREL-11448 and reassignments REA-11449 through REA-11453.
4. All terms and conditions of appropriations D-477, D-477R, A-936, A-15828 and A-15829 remain in effect unless specifically changed by this Order.
5. Lands entitled to water under appropriations D-477, D-447R, A-936, A-15828 and A-15829 are described in **Attachment C**.

6. A summary of the appropriations' acres and grants as a result of the District's filings in the Department before and after this Order, and the portions of the District's appropriations that are available for future reassignment or transfer are summarized in **Attachment D**.
7. **Attachments B, C and D** are hereby made a part of this Order.
8. 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.
9. A project map showing all lands included under the appropriations for the White River Irrigation District must be filed in the Department within 6 months of this Order.
10. 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 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



October 2, 2025

Matthew T. Manning, PE, JD
Chief Water Officer

Copies of this Order and Attachments A, B, C and D were posted on the Department's website, provided to the Department's field office in Bridgeport, Nebraska and mailed to the following:

Jake Wasserburger, President
White River Irrigation District
151A Old Hwy 20
Crawford, Nebraska 69339
MDockery@simmonsolsen.com

ATTACHMENT A

White River Irrigation District

The following is a summary of White River Irrigation District's surface water appropriations' acres and grants prior to this Order:

Appropriation Number	Priority Date	Source	Use	Acres	Grant ¹	Available for Assignment Prior to this Order	
					cfs	Acres	Grant
D-477	12/31/1894	White River	IR ²	369.0	4.28	0.00	0.00
D-477R ³	12/31/1894	White River	IR	369.0	1.00	0.00	0.00
A-936	3/11/1909	White River	IR	100.0	1.43	0.00	0.00
A-15828	4/6/1981	White River	IR	241.7	3.45	0.00	0.00
A-15829	4/6/1981	Souther Reservoir	SI ⁴	229.9	-	0.00	-

¹ Grant is in cubic feet per second

² IR = Irrigation from natural flow

³ D-477R provides additional natural flow water to D-477

⁴ SI = Supplemental irrigation (from a reservoir) on land also covered by a natural flow appropriation

Attachment B
White River Irrigation District
Provisional Relinquishments PREL-11444 to 11448 and Reassignment of Acres REA-11449 to 11453

Legal Description	County	D-477 (8731)		D-477R (8764)		A-936 (8732)		A-15828 (8733)		A-15829 (8787)	
		PREL-11444	REA-11449	PREL-11445	REA-11450	PREL-11446	REA-11451	PREL-11447	REA-11452	PREL-11448	REA-11453
SW SE S24 T32N-R52W	Dawes	3.2	0.0	3.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SE SE S24 T32N-R52W	Dawes	12.3	0.0	12.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
NE NW S25 T32N-R52W	Dawes	0.0	0.5	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0
SW NW S25 T32N-R52W	Dawes	15.8	0.2	15.8	0.2	0.0	9.5	0.0	0.0	0.0	0.0
SE NW S25 T32N-R52W	Dawes	0.1	2.8	0.1	2.8	0.0	0.0	0.0	0.0	0.0	0.0
NW NE S25 T32N-R52W	Dawes	2.2	0.0	2.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
NE NE S25 T32N-R52W	Dawes	4.9	0.0	4.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SW NE S25 T32N-R52W	Dawes	0.0	2.6	0.0	2.6	0.0	0.0	0.0	0.0	0.0	0.0
SE NE S25 T32N-R52W	Dawes	26.4	0.0	26.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
NW SW S25 T32N-R52W	Dawes	4.8	4.0	4.8	4.0	0.0	5.4	0.0	0.0	0.0	0.0
NE SW S25 T32N-R52W	Dawes	0.0	4.4	0.0	4.4	0.0	0.0	0.0	0.0	0.0	0.0
SW SW S25 T32N-R52W	Dawes	0.0	0.0	0.0	0.0	0.0	3.7	0.0	0.0	0.0	0.0
SE NE S26 T32N-R52W	Dawes	3.0	0.0	3.0	0.0	0.0	1.6	0.0	0.0	0.0	0.0
NE SE S26 T32N-R52W	Dawes	8.0	0.0	8.0	0.0	0.0	5.1	0.0	0.0	0.0	0.0
SE SE S26 T32N-R52W	Dawes	12.1	0.0	12.1	0.0	0.0	22.9	0.0	0.0	0.0	0.0
NW SW S19 T32N-R51W	Dawes	3.0	0.0	3.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
NE SW S19 T32N-R51W	Dawes	0.0	0.1	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0
SW SW S19 T32N-R51W	Dawes	17.1	0.0	17.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
NW SE S19 T32N-R51W	Dawes	0.0	10.8	0.0	10.8	0.0	0.0	0.0	0.0	0.0	0.0
NE SE S19 T32N-R51W	Dawes	2.3	3.3	2.3	3.3	0.0	0.0	0.0	0.0	0.0	0.0
SW SE S19 T32N-R51W	Dawes	10.3	18.5	10.3	18.5	0.0	0.0	0.0	0.0	0.0	0.0
SW NW S30 T32N-R51W	Dawes	0.0	0.0	0.0	0.0	0.0	1.0	1.0	0.0	1.0	0.0
SE NW S30 T32N-R51W	Dawes	0.0	4.4	0.0	4.4	0.0	0.2	4.6	8.6	4.6	0.0
SW NE S30 T32N-R51W	Dawes	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.2	0.0	0.0
NW SW S30 T32N-R51W	Dawes	0.0	0.0	0.0	0.0	11.0	15.5	11.8	14.4	1.0	13.4
NE SW S30 T32N-R51W	Dawes	0.0	33.2	0.0	33.2	27.0	5.5	8.7	1.2	8.7	1.2
SW SW S30 T32N-R51W	Dawes	0.0	0.0	0.0	0.0	25.0	18.2	0.0	13.9	0.0	13.9
SE SW S30 T32N-R51W	Dawes	0.0	25.5	0.0	25.5	37.0	11.4	0.0	2.7	0.0	2.7
NW SE S30 T32N-R51W	Dawes	0.0	9.0	0.0	9.0	0.0	0.0	9.0	0.0	9.0	0.0
SW SE S30 T32N-R51W	Dawes	0.0	6.2	0.0	6.2	0.0	0.0	11.6	4.7	11.6	4.7
Totals		125.5	125.5	125.5	125.5	100.0	100.0	46.7	46.7	35.9	35.9

Attachment C
White River Irrigation District
Lands Entitled to Surface Water After the Attached Order:

Legal Description	County	D-477 (8731)	D-477R (8764)	A-936 (8732)	A-15828 (8733)	A-15829 (8787)
SW SE S24 T32N-R52W	Dawes	12.8	12.8	0.0	0.0	0.0
SE SE S24 T32N-R52W	Dawes	14.7	14.7	0.0	0.0	0.0
NE NW S25 T32N-R52W	Dawes	10.6	10.6	0.0	0.0	0.0
SW NW S25 T32N-R52W	Dawes	5.7	5.7	9.5	0.0	0.0
SE NW S25 T32N-R52W	Dawes	33.1	33.1	0.0	0.0	0.0
NW NE S25 T32N-R52W	Dawes	30.8	30.8	0.0	0.0	0.0
NE NE S25 T32N-R52W	Dawes	35.1	35.1	0.0	0.0	0.0
SW NE S25 T32N-R52W	Dawes	2.6	2.6	0.0	0.0	0.0
SE NE S25 T32N-R52W	Dawes	3.6	3.6	0.0	0.0	0.0
NW SW S25 T32N-R52W	Dawes	5.4	5.4	5.4	0.0	0.0
NE SW S25 T32N-R52W	Dawes	6.3	6.3	0.0	0.0	0.0
SW SW S25 T32N-R52W	Dawes	0.0	0.0	3.7	0.0	0.0
SE NE S26 T32N-R52W	Dawes	0.0	0.0	1.6	0.0	0.0
NE SE S26 T32N-R52W	Dawes	0.0	0.0	5.1	0.0	0.0
SE SE S26 T32N-R52W	Dawes	0.0	0.0	22.9	0.0	0.0
NE SW S19 T32N-R51W	Dawes	5.1	5.1	0.0	0.0	0.0
SW SW S19 T32N-R51W	Dawes	4.9	4.9	0.0	0.0	0.0
SE SW S19 T32N-R51W	Dawes	20.0	20.0	0.0	0.0	0.0
NW SE S19 T32N-R51W	Dawes	33.8	33.8	0.0	0.0	0.0
NE SE S19 T32N-R51W	Dawes	21.0	21.0	0.0	0.0	0.0
SW SE S19 T32N-R51W	Dawes	27.2	27.2	0.0	0.0	0.0
SE SE S19 T32N-R51W	Dawes	18.0	18.0	0.0	0.0	0.0
SW NW S29 T32N-R51W	Dawes	0.0	0.0	0.0	7.9	7.9
NW SW S29 T32N-R51W	Dawes	0.0	0.0	0.0	16.2	16.2
SW NW S30 T32N-R51W	Dawes	0.0	0.0	1.0	21.0	21.0
SE NW S30 T32N-R51W	Dawes	4.4	4.4	0.2	26.2	17.6
NE NE S30 T32N-R51W	Dawes	0.0	0.0	0.0	25.6	25.6
SW NE S30 T32N-R51W	Dawes	0.0	0.0	0.0	1.2	1.2
SE NE S30 T32N-R51W	Dawes	0.0	0.0	0.0	33.7	33.7
NW SW S30 T32N-R51W	Dawes	0.0	0.0	15.5	16.6	13.4
NE SW S30 T32N-R51W	Dawes	33.2	33.2	5.5	1.5	1.5
SW SW S30 T32N-R51W	Dawes	0.0	0.0	18.2	13.9	13.9
SE SW S30 T32N-R51W	Dawes	25.5	25.5	11.4	2.7	2.7
NW SE S30 T32N-R51W	Dawes	9.0	9.0	0.0	27.3	27.3
NE SE S30 T32N-R51W	Dawes	0.0	0.0	0.0	39.2	39.2
SW SE S30 T32N-R51W	Dawes	6.2	6.2	0.0	4.7	4.7
SE SE S30 T32N-R51W	Dawes	0.0	0.0	0.0	4.0	4.0
Totals		369.0	369.0	100.0	241.7	229.9

ATTACHMENT D

White River Irrigation District

The following is a summary of the appropriations' acres and grants as a result of the Wite River Irrigation District's filings in the Department before and after the attached Order:

Appropriation Number	Use	Appurtenant Portion Prior to this Order		Available for Assignment Prior to this Order		Amount Relinquished in this Order		Amount Assigned in this Order		Available for Assignment After this Order		Appurtenant Portion Effective This Order	
		Acres	Grant ¹	Acres	Grant	Acres	Grant	Acres	Grant	Acres	Grant	Acres	Grant
D-477	IR ²	369.0	4.28	0.00	0.00	125.0	1.45	125.0	1.45	0.0	0.0	369.0	4.28
D-477R ³	IR	369.0	1.00	0.00	0.00	125.0	0.34	125.0	0.34	0.0	0.0	369.0	1.00
A-936	IR	100.0	1.43	0.00	0.00	100.0	1.43	100.0	1.43	0.0	0.0	100.0	1.43
A-15828	IR	241.7	3.45	0.00	0.00	46.7	0.67	46.7	0.67	0.0	0.0	241.7	3.45
A-15829	SI ⁴	229.9	-	0.00	-	35.9	-	35.9	-	0.0	-	229.9	-

¹ Grant is in cubic feet per second

² IR = Irrigation from natural flow

³ D-477R provides additional natural flow water to D-477

⁴ SI = Supplemental irrigation (from a reservoir) on land also covered by a natural flow appropriation