

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF PROVISIONAL RELINQUISHMENTS (CANCELLATION) PREL-11753, PREL-11764

AND NOTIFICATION OF REASSIGNMENTS REA-11754 AND REA-11765

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 6<sup>th</sup> P.M. in Wyoming.
3. On March 16, 2026, the District and individual landowners filed in the Department Provisional Relinquishment PREL-11753 to provisionally relinquish the right to irrigate portions of land under appropriation A-768 and Notification of Reassignment REA-11754 to reassign portions of appropriation A-768 previously relinquished.
4. On March 26, 2026, the District and individual landowners filed in the Department Provisional Relinquishment PREL-11764 to provisionally relinquish the right to irrigate portions of land under appropriation A-768 and Notification of Reassignment REA-11765 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-11753 and PREL-11764 is CANCELLED.
2. The Department acknowledges REA-11754 and REA-11765 to reassign a portion of water under A-768 for use upon the land described in **Attachment A** as shown on map number 21736.
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 6<sup>th</sup> 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



May 27, 2026

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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 21736 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  
[rick@pathfinderirrigation.com](mailto:rick@pathfinderirrigation.com)

U.S. Bureau of Reclamation  
c/o Lyle Myler  
P.O. Box 1630  
Mills, Wyoming 82644  
[myler@usbr.gov](mailto:myler@usbr.gov)

**Attachment A**  
**Pathfinder Irrigation District**  
**Land Listing for Provisional Relinquishment PREL-11753 & PREL-11764 and**  
**Reassignment of Acres REA-11754 & REA-11765**

A-768 (RightID 32 & 33)

<b>Legal Description</b>	<b>County</b>	<b>PREL-11753 Acres Out</b>	<b>REA-11754 Acres In</b>	<b>PREL-11764 Acres Out</b>	<b>REA-11765 Acres In</b>
SW NW S31 T25N-R57W	Sioux	0.0	0.0	40.0	0.0
SE NW S31 T25N-R57W	Sioux	0.0	0.0	39.0	0.0
NE SW S31 T25N-R57W	Sioux	0.0	0.0	16.0	0.0
NW SW S13 T24N-R58W	Sioux	0.0	0.0	0.0	31.0
NE SW S13 T24N-R58W	Sioux	0.0	0.0	0.0	32.0
SE SW S13 T24N-R58W	Sioux	0.0	0.0	0.0	32.0
NE NE S34 T22N-R51W	Scotts Bluff	0.0	22.0	0.0	0.0
SW SE S34 T22N-R51W	Scotts Bluff	3.0	0.0	0.0	0.0
SE SE S34 T22N-R51W	Scotts Bluff	6.6	0.0	0.0	0.0
SW SE S03 T21N-R51W	Scotts Bluff	1.8	0.0	0.0	0.0
SE SE S03 T21N-R51W	Scotts Bluff	10.6	0.0	0.0	0.0
<b>Totals</b>		<b>22.0</b>	<b>22.0</b>	<b>95.0</b>	<b>95.0</b>