

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

ORDER OF PROVISIONAL RELINQUISHMENT (CANCELLATION) PREL-11550

AND NOTIFICATION OF REASSIGNMENT REA-11551

OF WATER APPROPRIATION D-464A

WATER DIVISION 2-D

BACKGROUND

1. Records on file in the Department of Water, Energy, and Environment (Department) show that appropriation D-464A is held by the Harris-Cooper Mutual Irrigation Company (HCMID). Appropriation D-464A allows the appropriator to divert water from the White River into and through the Harris-Cooper Canal at its headgate located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 32 North, Range 52 West of the 6th P.M. in Dawes County as summarized on **Attachment A**.
2. On January 16, 2026, George J. Schilling on behalf of HCMID, and individual landowners filed in the Department Provisional Relinquishment of Surface Water Appropriation, PREL-11550, relinquishing the right to irrigate portions of land under appropriation D-464A and Notification of Reassignment REA-11551 to reassign portions of the appropriation previously relinquished.

ORDER

IT IS HEREBY ORDERED:

1. A portion of the water under D-464A from the White River for use upon the land described in **Attachment B** is CANCELLED.
2. The Department acknowledges REA-11551 to reassign portions of water under D-464A for use upon the land described in **Attachment B** as shown on map number 21721.
3. The land depicted on map number 21721 only represents the change of location of acres under D-464A through relinquishment PREL-11550 and reassignment REA-11551.
4. All terms and conditions of appropriations D-464A remain in effect unless specifically changed by this Order.
5. Lands entitled to water under appropriations D-464A are described in **Attachment C**.

6. A summary of the appropriations' acres and grants as a result of the HCMIC's filings in the Department before and after this Order, and the portions of the HCMIC'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) HCMIC may assign, within 5 years of the Order of Cancellation by the Department, the relinquished portion of an appropriation.
9. 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



May 28, 2026

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:

George J. Schilling, President
Harris-Cooper Mutual Irrigation Company
231 Raben Road
Whitney, Nebraska 69367

ATTACHMENT A
Harris-Cooper Mutual Irrigation Company
Harris-Cooper Canal

The following is a summary of Harris-Cooper Mutual Irrigation District's surface water appropriations' acres and grants before this Order

Appropriation Number	Priority Date	Source	Use	Acres and Grant Appurtenant Prior to this Order		Available for Assignment Prior to this Order	
				Acres	Grant ¹	Acres	Grant
D-464A	3/9/1894	White River	IR ²	727.58	10.39	-	-
D-464B	6/15/1894	White River	IR	110.00	1.57	-	-

¹ Grant in cubic feet per second

² Irrigation from natural stream

Attachment B
Harris-Cooper Mutual Irrigation Company
Provisional Relinquishment PREL-11550 and
Reassignment of Acres REA-11551
Surface Water Permit D-464A

D-464A (8744)			
Legal Description	County	PREL-11550 Acres OUT	REA-11551 Acres IN
NE NW S19 T32N-R51W	Dawes	6.95	2.70
SE NW S19 T32N-R51W	Dawes	0.20	1.50
NW NE S19 T32N-R51W	Dawes	0.75	1.70
SW NE S19 T32N-R51W	Dawes		2.00
Total		7.90	7.90

Attachment C

Harris-Cooper Mutual Irrigation Company Harris-Cooper Canal Lands Entitled to Surface Water as a Result of PREL-11550 & REA-11551

Legal Description	County	Natural Flow Appropriations		
		D-464A (8744)	D-464B (8745)	Natural Flow Total
NW NW S24 T32N-R52W	Dawes	0.20		0.20
NE NW S24 T32N-R52W	Dawes	27.00		27.00
SW NW S24 T32N-R52W	Dawes	0.50		0.50
SE NW S24 T32N-R52W	Dawes	11.45		11.45
NW NE S24 T32N-R52W	Dawes	19.90		19.90
NE NE S24 T32N-R52W	Dawes	17.00		17.00
SW NE S24 T32N-R52W	Dawes	16.34		16.34
SE NE S24 T32N-R52W	Dawes	15.41		15.41
NE SW S24 T32N-R52W	Dawes	13.27		13.27
SW SW S24 T32N-R52W	Dawes	2.84		2.84
SE SW S24 T32N-R52W	Dawes	20.85		20.85
NW SE S24 T32N-R52W	Dawes	21.63		21.63
NE SE S24 T32N-R52W	Dawes	0.00		0.00
SW SE S24 T32N-R52W	Dawes	3.08		3.08
NW NW S17 T32N-R51W	Dawes	28.00		28.00
NE NW S17 T32N-R51W	Dawes	10.00		10.00
SW NW S17 T32N-R51W	Dawes	40.00		40.00
SE NW S17 T32N-R51W	Dawes	34.00		34.00
NW SW S17 T32N-R51W	Dawes	36.92		36.92
NE SW S17 T32N-R51W	Dawes	27.00		27.00
SW SW S17 T32N-R51W	Dawes	15.00		15.00
SE SW S17 T32N-R51W	Dawes	3.00		3.00
NW NW S18 T32N-R51W	Dawes		26.00	26.00
NE NW S18 T32N-R51W	Dawes		37.00	37.00
SW NW S18 T32N-R51W	Dawes		12.00	12.00
SE NW S18 T32N-R51W	Dawes		35.00	35.00
NW NE S18 T32N-R51W	Dawes	37.00		37.00
NE NE S18 T32N-R51W	Dawes	36.92		36.92
SW NE S18 T32N-R51W	Dawes	26.50		26.50
SE NE S18 T32N-R51W	Dawes	29.81		29.81
NW SW S18 T32N-R51W	Dawes	24.80		24.80
NE SW S18 T32N-R51W	Dawes	32.38		32.38
SW SW S18 T32N-R51W	Dawes	13.85		13.85
SE SW S18 T32N-R51W	Dawes	16.79		16.79
NE SE S18 T32N-R51W	Dawes	31.00		31.00
SE SE S18 T32N-R51W	Dawes	10.00		10.00
NW NW S19 T32N-R51W	Dawes	36.00		36.00
NE NW S19 T32N-R51W	Dawes	23.90		23.90
SW NW S19 T32N-R51W	Dawes	34.79		34.79
SE NW S19 T32N-R51W	Dawes	6.75		6.75
NW NE S19 T32N-R51W	Dawes	1.70		1.70
SW NE S19 T32N-R51W	Dawes	2.00		2.00
Total		727.58	110.00	837.58

ATTACHMENT D

Harris-Cooper Mutual Irrigation Company

The following is a summary of Harris-Cooper Mutual Irrigation District's surface water appropriations' acres and grants as a result of PREL-11550 and REA-11551

Appropriation Number	Use	Appurtenant Portion Prior to this Order		Available for Assignment Prior to this Order		Amount Cancelled in this Order		Amount Assigned in this Order		Amount 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-464A	IR ²	727.58	10.39	-	-	7.90	0.11	7.90	0.11	-	-	727.58	10.39
D-464B	IR	110.00	1.57	-	-	-	-	-	-	-	-	110.00	1.57

¹ Grant in cubic feet per second

² Irrigation from natural stream