

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION A-18453  
FOR A PERMIT FOR TO APPROPRIATE WATER

WATER DIVISION 2-C

BACKGROUND

1. On February 15, 2007, Jack Bond filed in the Department of Natural Resources (Department) application A-18453 for a permit to appropriate water from a tributary to the Niobrara River for the purpose of irrigation of 110 acres of land located in the W $\frac{1}{2}$  of Section 28 and the E $\frac{1}{2}$  of Section 29, both in Township 33 North, Range 33 West of the 6<sup>th</sup> P.M. in Cherry County.
2. The status of application A-18453 is pending.
3. The Department has received information that Jack Bond is no longer the owner of the property described in this application.
4. The Nebraska Supreme Court has determined that a water right applicant has no transferable property right in an application for a permit to divert water and that permitting the assignment of applications could lead to collusion, thereby defeating the rights of other parties along a stream. (*Catherland Reclamation District v. Lower Platte North Natural Resources District*, 230 Neb. 580, 433 N.W.2d 161 (1988)).

ORDER

IT IS HEREBY ORDERED application A-18453 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

January 24, 2014

  
Brian P. Dunnigan, P.E., Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's field office in Ord, Nebraska. A copy of this Order was mailed on January 24, 2014, to the following:

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