

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF RELIQUISHMENT REL-2235 FOR
A PORTION OF THE GRANT APPROVED UNDER APPROPRIATION A-18435

WATER DIVISION 2-C

BACKGROUND

1. On June 12, 2007, Jack Bond filed in the Department of Natural Resources (Department) conditional relinquishment REL-2235 relinquishing a portion of the grant approved under appropriation A-18435 for 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 6th P.M. in Cherry County. The relinquishment was conditioned on approval of applications A-18452 and A-18453.
2. The Department has received information that Jack Bond is no longer the owner of the property described in applications A-18452 and A-18453.
3. Pursuant to the Nebraska Supreme Court's determination 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), applications A-18452 and A-18453 will be dismissed. Therefore, relinquishment REL-2235 should be dismissed.

ORDER

IT IS HEREBY ORDERED relinquishment REL-2235 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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