

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION A-18938

FOR A PERMIT FOR TO APPROPRIATE WATER

WATER DIVISION 2-C

BACKGROUND

1. On July 2, 2012, Gerald Bryce, on behalf of Powder River Land and Cattle LLC, and Pat Meuret, on behalf of JEM Farm, LLC, filed in the Department of Natural Resources (Department) application A-18938 for a permit to appropriate water from the North Branch of Verdigre Creek for the purpose of irrigation of 50 acres of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 35, Township 31 North, Range 8 West of the 6<sup>th</sup> P.M. in Knox County.
2. The status of application A-18938 is pending.
3. On August 18, 2014, the Department received information that Powder River Land and Cattle LLC no longer owns the land proposed for irrigation under application A-18938. It was purchased by Joel S. and Barbara S. Suhr.
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-18938 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

September 11, 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 September 11, 2014, to the following:

Powder River Land and Cattle LLC  
c/o Patrick Meuret  
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Wausa, Nebraska 68786

Powder River Land and Cattle LLC  
c/o Gerald Bryce  
17040 Northwest 48<sup>th</sup>  
Raymond, Nebraska 68428