

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION NEX-4760

FOR WATER APPROPRIATION A-17065

WATER DIVISION 1-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-17065 is held by Superior East II, LLC.
2. Appropriation A-17065 has a priority date of April 9, 1991, and authorizes the appropriator to divert water from the Republican River for irrigation of 135 acres.
3. On July 11, 2013, Superior East II, LLC, and Ronald E. Rempe, on behalf of Rempe Farms, Inc., filed in the Department Application NEX-4760 for a Change of Appropriation (Non-Expedited Transfer), requesting to transfer the location of use of surface water appropriation A-17065.
4. On March 11, 2015, Superior East II, LLC, and Ronald E. Rempe, on behalf of Rempe Farms, Inc., filed in the Department correspondence requesting dismissal of Application NEX-4760 for a Change of Appropriation for surface water appropriation A-17065.

ORDER

IT IS HEREBY ORDERED that Application NEX-4760 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

March 27, 2015



James C. Schneider, Ph.D.
Acting Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this order may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the order and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website and provided to the Department's field office in Cambridge, Nebraska. A copy of this Order was mailed on March 27, 2015, to the following:

Cody Carlson
Superior East II, LLC
605 12th Street
Aurora, Nebraska 68818

Ronald E. Rempe, Partner
Rempe Farms, Inc.
388 Road 3800
Superior, Nebraska 68978