

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF PETITION VAR-3592 FOR LEAVE TO FILE OR CONSIDER
AN APPLICATION FOR A NEW SURFACE WATER APPROPRIATION WITHIN
A MORATORIUM OR STAY AREA

WATER DIVISION 1-B

BACKGROUND

1. On July 14, 2004, the Department of Natural Resources (Department) issued an Order declaring a formal moratorium in the Republican River Basin on the issuance of all new surface water appropriations.
2. On March 4, 2013, Greg Lennemann (Petitioner) filed in the Department petition VAR-3592 for Leave to File or Consider an Application for a New Surface Water Appropriation within a Moratorium Area (Petition). The draft application and documentation attached to the petition is for a permit to impound approximately 35.6 acre-feet of water from Twin Creek in the existing Laddy (LaHaEast) Pond located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 09, Township 01 North, Range 20 West of the 6th P.M. in Harlan County for the purpose of water for livestock and erosion control.
3. An aerial photograph of Section 09, Township 01 North, Range 20 West of the 6th P.M. in Harlan County, taken in 1993, was filed with petition VAR-3592 and shows that Laddy (LaHaEast) Pond was constructed and impounding water at that time.
4. Subsequently, the Department received additional information that the dam located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 09, Township 01 North, Range 20 West of the 6th P.M. in Harlan County was breached and is no longer capable of storing water.
5. On August 31, 2015, Greg Lennemann filed correspondence in the Department requesting dismissal of petition VAR-3592.

ORDER

IT IS HEREBY ORDERED petition VAR-3592 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

September 8, 2015


Gordon W. Fassett, 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 Cambridge, Nebraska. A copy of this Order was mailed on September 8, 2015, to the following:

Greg Lennemann
70587 B Road
Stamford, Nebraska 68977