

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION A-18518

FOR A PERMIT FOR TO APPROPRIATE WATER

WATER DIVISION 2-C

BACKGROUND

1. On June 19, 2007, Dan and Colleen Moosman filed in the Department of Natural Resources (Department) application A-18518 for a permit to appropriate water from the Niobrara River for the purpose of irrigation of 75 acres of land located in the S $\frac{1}{2}$ NE $\frac{1}{4}$  and the N $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 25, Township 33 North, Range 29 West of the 6<sup>th</sup> P.M. in Cherry County.
2. The status of application A-18518 is pending.
3. On February 22, 2012, Colleen Moosman filed correspondence in the Department indicating that Dan and Colleen Moosman are no longer the owners 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, et al.*, 230 Neb. 580, 433 N.W.2d. 161 (1988)).

ORDER

IT IS HEREBY ORDERED application A-18518 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

April 25, 2012

  
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 April 25, 2012, to the following:

Dan and Colleen Moosman  
P.O. Box 803  
Valentine, Nebraska 69201