

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF APPLICATION A-18451
FOR A PERMIT FOR TO APPROPRIATE WATER

WATER DIVISION 2-C

BACKGROUND

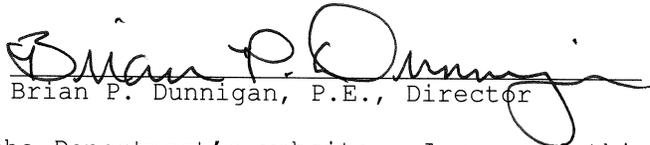
1. On February 15, 2007, Jack Bond filed in the Department of Natural Resources (Department) application A-18451 for a permit to appropriate water from a tributary to the Niobrara River for the purpose of irrigation of 75 acres of land located in the NE $\frac{1}{4}$ of Section 32 and the NW $\frac{1}{4}$ of Section 33, both in Township 33 North, Range 31 West of the 6th P.M. in Cherry County.
2. The status of application A-18451 is pending.
3. On January 18, 2012, Charles P. Weinreis, on behalf of Weinreis Brothers Partnership, filed a notice of change of ownership in the Department indicating that Jack Bond is no longer the owner 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-18451 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES

February 23, 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 February 23, 2012, to the following:

Jack Bond
1903 Holmstead Road
Greeley, Colorado 80634

Larry Bond
582 Madera Way
Windsor, Colorado 80550

Weinreis Brothers Partnership
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Scottsbluff, Nebraska 69361

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