

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER OF DISMISSAL OF PETITION VAR-3555

WATER DIVISION 1-B

BACKGROUND

1. On February 21, 2013, Gary Frerichs, on behalf of Frerichs Farms, Inc., filed in the Department of Natural Resources (Department) Petition VAR-3555 for leave to file or consider an application for a new surface water appropriation within a moratorium or stay area.
2. The existing Frerichs Dam No. 1, located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 03 North, Range 15 West of the 6th P.M. in Franklin County, was originally constructed in the 1940's for flood and erosion control.
3. The status of Petition VAR-3555 is pending.
4. On January 6, 2023, Douglas R. Frerichs filed in the Department an Application of Approval of Plans for Dams and plan P-21131. The plan is for the removal of Frerichs Dam No. 1 located in the NENW $\frac{1}{4}$ of Section 19, of said legal description.
5. On May 23, 2023, Department personnel visited Frerichs Dam No. 1 and verified its removal.
6. Therefore, Petition VAR-3555 should be dismissed.

ORDER

IT IS HEREBY ORDERED petition VAR-3555 is DISMISSED.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

June 8, 2023

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 to the following:

Douglas R. Frerichs
Frerichs Farms, Inc.
1548 26 Road
Hildreth, Nebraska 68947