

Bond Case Briefs

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State ex rel. Seeman v. Lower Republican Natural Resources District

Supreme Court of Nebraska - August 22, 2025 - N.W.3d - 319 Neb. 681 - 2025 WL 2423678

Corporate landowner and individual landowner brought separate mandamus actions against board members and general manager of natural resources district (NRD), challenging NRD's cease-and-desist order reducing certified irrigated acres pursuant to Nebraska Ground Water Management and Protection Act as penalty for tampering with flow meters.

The District Court granted mandamus relief and attorney fees to both landowners. Members and general manager appealed and landowners cross-appealed.

The Supreme Court held that:

- NRD's order was void as to corporate landowner;
- Individual landowner failed to show that NRD's order was void as to him;
- NRD's order was not void as perpetual prohibition against irrigation and upon transfer of title and use of land;
- Individual landowner was not entitled to recover attorney fees; and
- Trial court acted within its discretion in awarding corporate landowner attorney fees.