

# STATE OF NEBRASKA



DEPARTMENT OF NATURAL RESOURCES  
**Roger K. Patterson**  
Director

August 25, 2003

IN REPLY REFER TO:

**Mike Johanns**  
Governor

Mike Clements  
Lower Republican NRD  
PO Box 618  
Alma, NE 68920

Dear Mike:

This letter is to honor your request that a written answer be given to your August 19 letter concerning whether municipal wells would require a variance or whether it would be a compact violation to issue a variance.

The answer is that under the compact settlement agreement, municipal wells are exempt from the moratorium. Therefore, you need only look at your rules to see what your requirements are.

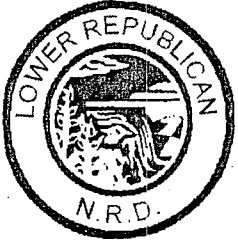
Sincerely,

A handwritten signature in cursive script that reads "Roger K. Patterson".

Roger K. Patterson  
Director

saf

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# Lower Republican Natural Resources District

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August 19, 2003

RECEIVED

AUG 20 2003

DEPARTMENT OF  
NATURAL RESOURCES

Roger Patterson, Director  
NE Dept. Natural Resources  
PO Box 94876  
Lincoln, NE 68509

Re: Enclosed Well Permit Application

Dear Roger:

I am enclosing a permit application that I just received from the Village of Orleans. I know there are provisions in the settlement that will allow new municipal wells. My question for you is if our Board grants a variance for this well will that be a compact violation? Does Orleans need to possibly pay someone to retire an existing well?

We want to make sure we're handling the process correctly since this is un-chartered territory for us. Roger, I have 30 days to act on this so a reply from you at your earliest convenience would be appreciated.

Sincerely,

*Michael Clements*

Michael Clements  
General Manager

copy: Don Blankenau



RECEIVED AUG 19 2003

LRNRDFMP-713(6-19-03)

APPLICATION FOR A PERMIT TO CONSTRUCT A WELL IN THE LOWER REPUBLICAN NATURAL RESOURCES DISTRICT

RECEIVED

AUG 20 2003

1. NAME: Village of Orleans
ADDRESS: PO Box 149
Orleans, NE 68966-0149
PHONE: (308) 473-4185

DNR & NRD USE ONLY DEPARTMENT OF NATURAL RESOURCES

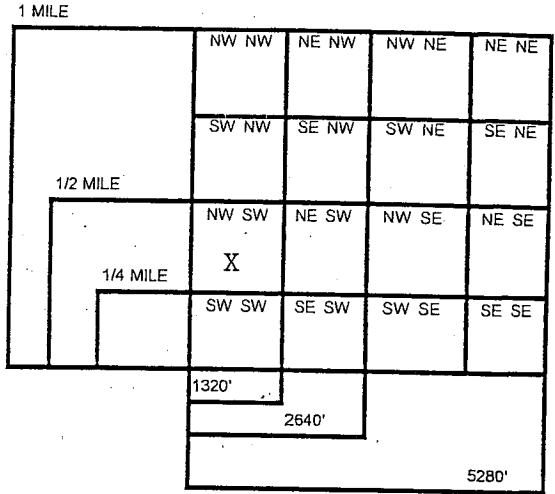
PERMIT NO.: 03-015
REGISTRATION NO.:

2. PURPOSE OF WELL (Indicate One):
Irrigation, Livestock (>50 gpm), Public Water Supply, Other, Industrial, Dewatering (over 90 days), Aquaculture

3. IDENTIFY THE LOCATION OF THE PROPOSED WELL:

Harlan County, Township 3 North, Range 19 West, Section 27

The box at the right represents one square mile, (section). Indicate with an "X" the proposed location of the well. Outline the proposed water use area, if water is to be used outside the above written legal description, give legal description of water use area.



Township 3 North, Range 19 West, Section 27

The well will be located 1785 feet from the North/South Section Line, and will be 92 feet from the East/West, Section Line.

4. NEW IRRIGATION WELLS:

How many acres will be irrigated? N/A
Flow meter will be used on proposed well.
Type of irrigation system: Center Pivot, Gravity, Other (specify)
Will system be Electric, Fuel Powered?
Will the Well be used in a system with other wells? YES, NO
Will fertilizer, chemicals or animal waste be applied through the system? YES, NO

5. REPLACEMENT AND ABANDONMENT WELL INFORMATION:

A. Is this a replacement well? YES, NO
B. Registration number of well to be replaced:
C. Well to be replaced was last operated 20
D. Replacement well is feet from original well.
E. Completion of original well decommissioning on 20
F. New well will provide water only to land historically irrigated by the well being replaced, and shall not be used to irrigate any additional acres.

6. SPECIFICATIONS OF INTENDED WELL AND PUMP:

Approximate date when construction will begin: August 27, 20 03
Pump column diameter: 4 inches. Estimated total well depth 168 feet.
Estimated pumping capacity: 300 gallons per minute. Well casing diameter: 12 inches.
Please attach test hole log, if available.
Name of Well Driller: Charles Sargent Irrigation, Inc. dba Sargent Drilling Co.

7. I certify that I am familiar with the information contained in the application and its' restrictions, rules and regulations, and that to the best of my knowledge and belief such information is true, complete and accurate.

pd 8-19-03
24095
AP

This form must be completed in full and be accompanied by a non-refundable \$17.50 fee (payable to the Lower Republican Natural Resources District, PO Box 618, Alma, NE 68920)

Date: August 18, 2003
Date Approved:

Signature: Gary McCracken by Carrie Saylor
NRD Representative:

SEE OTHER SIDE FOR IMPORTANT PERMIT RESTRICTIONS, RULES AND REGULATIONS

This form must be completed in full and be accompanied by a non-refundable \$17.50 filing fee (payable to the Lower Republican Natural Resources District). Forward this application and filing fee to:

LRNRDFMP-713(6-19-03)

Lower Republican Natural Resources District  
PO Box 618  
Alma, NE 68920  
Phone: 308-928-2182 or 800-353-1297

Please take the time and fill out the information correctly. An incomplete or defective application will be returned by the District, with 60 days being allowed for resubmission. All permits shall be issued by the District with conditions attached or denied not later than 30 days after receipt of a complete and properly prepared application.

### PERMIT RESTRICTIONS

1. Well permits are required prior to construction or a late fee of \$250.00 will be assessed.
2. Permits are not required for test holes, temporary dewatering wells (less than 90 days), or wells designed to pump 50 gallons per minute or less.
3. If the well is not constructed within a one year period from the date of approval, a new permit is needed.
4. The well authorized by this permit may not be constructed closer than 600 feet from an existing well having a capacity of 51 gallons per minute or more, unless both the new and existing wells are owned by the same individual.
5. According to State law 46-637, water wells may not be drilled within 50 feet of a stream bank without first getting a surface water right for the stream from the Department of Natural Resources.
6. Replacement wells do need a permit from the Lower Republican NRD. A replacement well is one which replaces an abandoned water well that has been operated within the last three years and is constructed to water the same acres of land as the abandoned water well. If the well is being replaced, it must be properly abandoned according to state guidelines. A copy of these guidelines is available from the the Lower Republican Natural Resources District.
7. All new or replacement water wells constructed in the District are required to be sampled for nitrates upon completion.
  - A. Municipalities which develop a new public water well shall submit a copy of the well's initial water quality test results to the District within 30 days of receipt of such results from the Department of Health.
  - B. The sample for all non-municipal wells shall be collected by the owner, operator, or farm manager no sooner than 30 days, nor later than 60 days, after activation of the well.
8. The Lower Republican Natural Resources District encourages that all new non-domestic water wells designed to pump 51 gallons per minute or more be constructed with adequate free space in the pump discharge to accommodate a flow measurement device.
9. Any person who commences or causes construction of such a well for which the required permit has not been obtained, or who knowingly furnishes false information regarding such permit, shall be guilty of a Class IV misdemeanor. {46-602-01}.
10. This permit does not register the well with the Department of Natural Resources. All wells are required to be registered with the Nebraska Department of Natural Resources within 30 days after the well is completed. If possible, mark with a flag the well site in the field.

COMMENTS/RESTRICTIONS: \_\_\_\_\_  
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