

Ann Diers

From: Susan France [sfrance@dnr.state.ne.us]
Sent: Thursday, April 21, 2005 5:56 AM
To: Roger Patterson
Cc: Pam Bonebright; Ann Diers; Ann Bleed
Subject: Replacement Wells



Replacement Wells
NRD Memo (2)...

Pam and I met with Dean Edson, Rod DeBuhr, Dan Smith, Dan Clement, Russ Callan, Dennis Schueth, Tyler Naperstek, Maire Krausnick, and Rich Holloway yesterday to discuss this letter. Rod came in with an attitude and started telling us to disregard the law, we do it all the time. Rod was really the only one who seemed real unhappy with us, but he is angry. Several of them said they were going to disregard the law and waive late fees for permits for the wells we are discussing. However, several positive things came out of the meeting. They only wanted one change to the letter and a sentence that said we had met. The change is on paragraph #6 on page 4. They wanted to add, "if required." since because we are talking about replacement wells and no offsets may be needed. We told them we would finalize the letter and send it to the NRDs and then we would start follow up letters on the 83 that we have not solved at this time. The other issues they want addressed, and maybe we could do that in this same letter is our policy statement that if someone decommissions a water well that should have been registered we will ask them to register it. They would like us to not request registration as they think it is causing people not to tell us. Dan Smith believes that we should make a policy that for wells that are permitted from the NRD, are registered as inactive wells, and we do not get notice of a pump installation within the time limit stated as part of the permit, that we would inform the well owner that their well is illegal because the law on permits requires a well to be constructed and "equipped" within the time period of the permit. Likewise, if the person does not register the water well until after the permit period has expired, and then tries to register the well as inactive, Dan would like us not to accept the registration. This is something we could do. We want to make sure legal agrees. One thing we will initiate immediately is that when someone tries to register an old well "one that existed prior to any requirement for a permit from the NRD" we will check with the NRD prior to registering the well to see that the person has certified acres if required, or if the NRD has information concerning the well. They want to provide us new 911 addresses for water well owners. We will get these in a data base, Pam will compare them with our data base, and we will inform the well owner by letter that we have changed such information based upon information provided by the local NRD. We will go forward with this unless we hear differently from you. Pam discussed the files we have on water wells that we have reports from well drillers on (prior to 2002) but have never received registrations on. Pam is going to send information to each NRD on any well but stock and domestic--they believe because they don't permit them it isn't their problem they aren't registered and they don't want to receive those.