



People who use Nebraska's surface water resources **are required** in most instances to obtain a surface water permit from the **Nebraska Department of Natural Resources (NDNR)**. The permit(s)/water right(s) are approved for a specific location and purpose. **Water rights are administered by NDNR, and are NOT recorded with the deed when land is bought, sold, or transferred. NDNR is also responsible for maintaining a database of registered groundwater wells in the State of Nebraska.**

Many permits/rights were originally granted to previous landowners one, two or sometimes three generations back. Often subsequent generations of owners are not familiar or aware of the surface water permit(s)/right(s) for their land. This can be especially true if the land is now irrigated using a groundwater well.

State statutes require all landowners to file a written notice with NDNR of any changes in ownership, and/or address for surface water rights and registered



groundwater wells. The Notice of Change of Ownership/Water Resources Update Notice form required to update this information is available on NDNR's website at <http://dnr.nebraska.gov/forms>. This form is also available from NDNR upon request.

### Website Information

The NDNR's website has a wealth of resources information. Surface water appropriation information can be checked at <http://dnr.nebraska.gov/surface-water-rights> and registered well information can be checked at <http://data.dnr.nebraska.gov/wells/menu.aspx>.

### Required Forms

The Notice of **Change of Ownership/Water Resources Update Notice (ownership form)** is the form required to notify the NDNR of changes in ownership within 60 days of property transfer. It requires both the signature of the transferor (seller) and transferee (buyer) so that all parties are aware of the transfer of ownership for all registered wells and surface water permits/rights. The ownership form is the newest and preferred form accepted by NDNR. This same form may be used as a notice of change of ownership to notify NDNR of a new owner and/or change of address when the transfer of ownership or changes have occurred and the 60 day period described above has been exceeded, or the property is within a municipality.



### Tips

Be sure to include the **correct and entire legal description** of the subject property on or attached to the ownership form. In the event that you are not sure which well(s) or surface water permit(s)/right(s) are located on the subject land, a copy of the deed or other documents showing the transfer of land or precise legal description of property will allow NDNR staff to determine if one or both are present. Please avoid using general descriptions that imply you own land that belongs to a neighbor. **Be as specific as possible when providing the legal description.**

### Registered Wells

**Current Nebraska law requires all wells to be registered**, with the exceptions of domestic and livestock wells drilled prior to September 9, 1993, and dewatering wells.



## Surface Water Permits

A surface water permit/right allows the appropriator (in most cases, the landowner) the right to divert water at a set rate, for a certain amount, from an approved point of diversion, to irrigate a certain area of land. Permits are also granted for the right to impound a specified volume of water in a reservoir. Holders of water rights must use the water for the purpose legally allowed under the permit. Failure to use the water may result in NDNR canceling the permit.



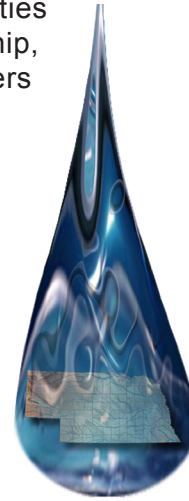
## Private Permits vs Irrigation Districts

An irrigation district may be the appropriator of a surface water permit/right. In this case, when a person purchases land that has such a permit/right covering all or part of the land and it's in the name of an irrigation district, a public power and irrigation district, or a mutual irrigation company, this is a matter between the district/company and landowner. The ownership and other information about surface water permits can be viewed at <http://dnr.nebraska.gov/surface-water-rights>.



## Questions

NDNR would like all parties involved with land ownership, whether it be owners, buyers or sellers, to be aware of the procedures necessary to be in compliance with Nebraska's water laws concerning surface water permits/rights and groundwater well registrations. Questions concerning groundwater well registrations, water permits/rights, required changes in ownership information or questions about Nebraska's water laws, should be directed to the **Nebraska Department of Natural Resources** at the address and contact information below.




**Nebraska**  
**Department of Natural Resources**  
301 Centennial Mall  
PO Box 94676  
Lincoln, Nebraska 68509-4676  
Phone 402-471-2363  
Fax 402-471-2900

**Website [dnr.nebraska.gov](http://dnr.nebraska.gov)**

July 2014  
tlc.indd.07.2014

# Nebraska's

## Water Well Ownership and Water Rights Information



Nebraska Department of Natural Resources