

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

NeDNR SW-001
March 2018

PETITION REQUESTING LEAVE TO FILE OR CONSIDER AN APPLICATION FOR
A NEW SURFACE WATER APPROPRIATION WITHIN A MORATORIUM OR STAY AREA
UNDER TITLE 457 N.A.C. CHAPTER 23

Instructions:

1. Complete items 1 through 5 by printing in ink or typing the appropriate information and by placing an X in the appropriate box.
2. Attach a copy of the completed proposed application for a new surface water appropriation.
3. Attach any supporting documentation.
4. Include a \$10 non-refundable filing fee.

FOR DEPARTMENT USE ONLY

Filed in the office of the Department of Natural Resources
at 10:55 on March 4, 2019
Modification VAR- 7264
SW Application: _____ RightID: _____
Water Division: 1-E
Receipt Number: A-5168 Amount: \$ 10.00

1. Name and contact information of petitioner:

Name: Jeff Marks / Paul Reed Construction and Supply, INC.

Address 1: 2970 North 10th Street

Address 2: _____

City & State: Gering, Nebraska

Zip Code: 69341

Phone Number: (308) 635 - 2213

E-Mail Address: jeffm@paulreedconstruction.com

Cell Phone: (308) 641 - 7385

2. Check the situation that applies:

- Application already filed. Application Number: _____
- Application not filed. (Enclose copy of proposed application)

3. Description of proposed project:

Reconstruction of Nebraska Department of Transportation (NDOT) I-80 Chappell - N-27 in Deuel County

4. The proposed project must meet at least one of the following criteria. (Check all that apply)

1. The proposed project is for a non-consumptive use. (Attach description of use)
2. The applicant has a credible proposal for replacing any consumptive use that will occur in a manner such that the project will not harm other users. (Attach offset plan)
3. The Applicant has credible information that indicates there **may be** unappropriated water available at the proposed location at the time the depletion is likely to occur. (Attach analysis)
4. The project existed prior to any informal moratorium, formal moratorium or stay. (Attach proof)
5. There is a public safety issue that must be addressed and the proposed project addresses that issue. (Attach explanation)
6. The proposed use is a temporary use for public construction and the total volume requested is less than ten (10) acre-feet.

5. Other reason(s) to show good cause why a variance should be granted:

Water will be used in the construction process for the compaction of soils and aggregates to be utilized on the project. I-80, being the main through-way for transportation of goods and commodities through the state, is in need of repairs and rehabilitation. An accessible water source will alleviate nuisance dust.

02/21/2019

Date



Signature of Petitioner (or authorized agent)

Jeff Marks

Print Name

If you have any questions regarding this form, please contact the Surface Water Permitting Section at the Department of Natural Resources (402) 471-2363

Forward this petition, all supplemental documentation and a \$10 non-refundable filing fee to:

State of Nebraska
Department of Natural Resources
301 Centennial Mall South
P.O. Box 94676
Lincoln, Nebraska, 68509-4676

**STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
APPLICATION FOR A PERMIT TO APPROPRIATE WATER**

Complete items 1 through 10 by printing in ink or typing the appropriate information and by placing an X in the appropriate box.

For Department Use Only

1. Name and address of owner of land under proposed project. Names must be exactly as described on the deed or document transferring ownership of property. Landowner must sign the application.

Nebraska Department of Transportation
1500 Nebraska 2, Lincoln, NE 68502

Filed in the office of the Department of
Natural Resources at _____ a.m./p.m.

on _____

Application No. _____

Map No. _____

Water Division _____

Receipt No. _____ Amount _____

Right ID _____

E-mail address: _____ Telephone No. (402) 471-4567

2. Name, address, and telephone number of applicant if different than landowner.

Jeff Marks / Paul Reed Construction and Supply INC.
3970 North 10th Street
Gering, Nebraska 69361

E-mail address: jeffm@paulreedconstruction.com Telephone No. (308) 635-2213

3a. A permit is sought to:

Use natural flow Use impounded water*

3b. A permit is sought for the purpose of:

Irrigation Manufacturing Domestic
 Other _____
 Temporary** I-80 Chappell - N-27 Reconstruction

4a. Identify the source of water (name of stream or reservoir).

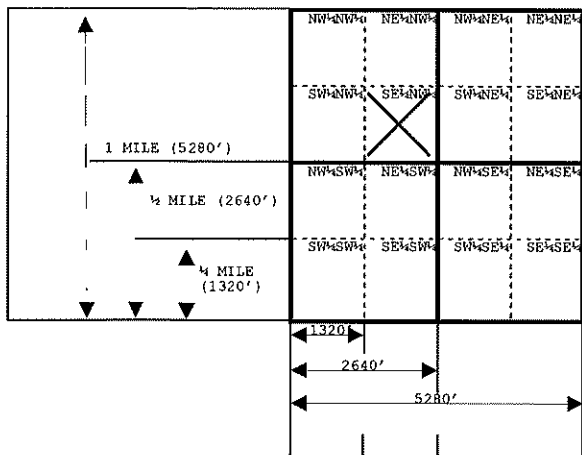
Lodgepole Creek

4b. If applicable, identify the facility name for transporting water from the source (portable pump, name of canal or pipeline).

Portable Pump

5. Identify the location of the Headgate Pump

Section 36, Township 13 North, Range 45 E W County Deuel



The box at left represents one square mile (section). Place an X within each appropriate 40-acre tract to indicate the location(s) of each headgate or pump.

If applicable, indicate the height, in feet, of any diversion or check dams on the line below.

* A separate permit to impound water must be obtained.
** A temporary permit may be granted for a maximum of one year.

6. If applicable, identify the location of lands by 40-acre subdivisions that will be irrigated.

LEGAL SUBDIVISIONS	Sec.	Twp.	Rge.	No. of Acres	LEGAL SUBDIVISIONS	Sec.	Twp.	Rge.	No. of Acres
TOTAL NUMBER OF ACRES TO BE IRRIGATED:									0.0

Enclosed is an aerial photograph that I have marked to show the approximate location of land to be irrigated as described above.

7. State the approximate quantity of water desired for

appropriation Less than 10 acre feet

- Gallons per minute
 Cubic feet per second
 Acre-feet (impounded water)

8a. State the estimated time required for completion of all water diversion facilities.

One (1) Year

8b. State the earliest date when water will have been used for beneficial purposes.

April 1, 2019

9. Will this project be constructed under a federal program, receive federal funding, or have federal planning assistance?

No Yes If yes, explain: _____

10. I certify that am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate.

Date

Signature of owner or owner's authorized agent (with proper documentation)

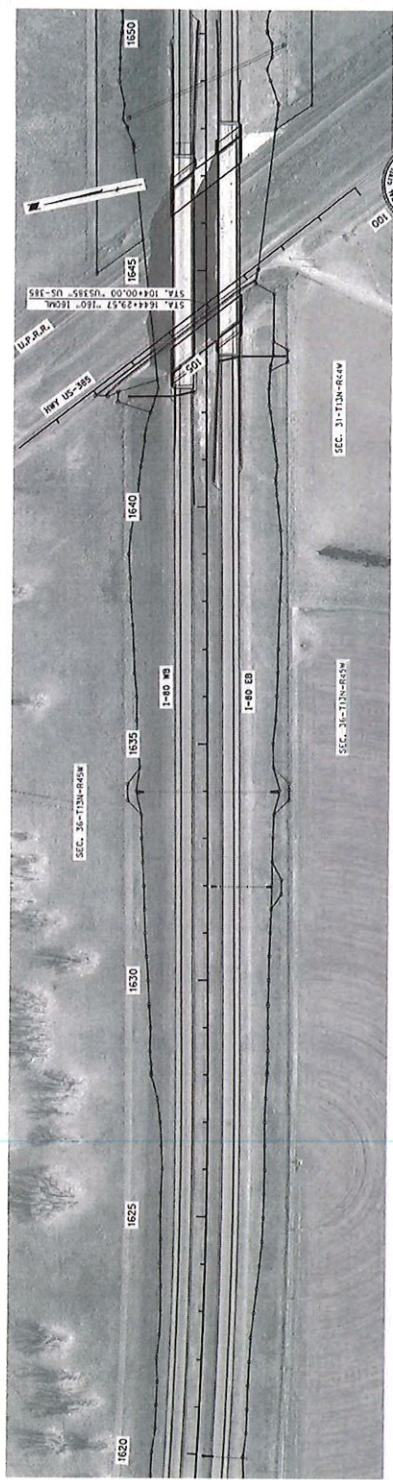
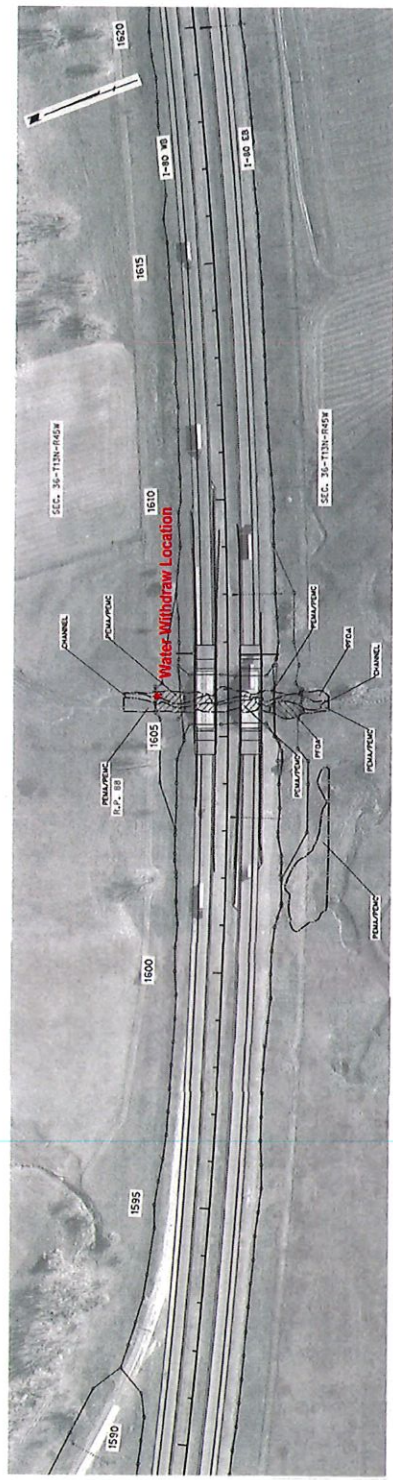
A final project map may accompany this application or must be filed within six months following departmental approval of this application, drawn in accordance with NAC Title 457 – Rules for Surface Water, Chapter 10, (<http://dnr.nebraska.gov/swr/surface-water-rules>). At the request of the applicant, the Department will assist with preparation of the project map.

This form must be completed in full. An incomplete or defective application will be returned with 90 days being allowed for resubmission. Failure to resubmit a corrected application within this period shall cause dismissal of the application and consequent loss of priority and fees.

A non-refundable filing fee, payable to the Department of Natural Resources, computed from the table below must accompany this application. Forward this application and applicable fees to:

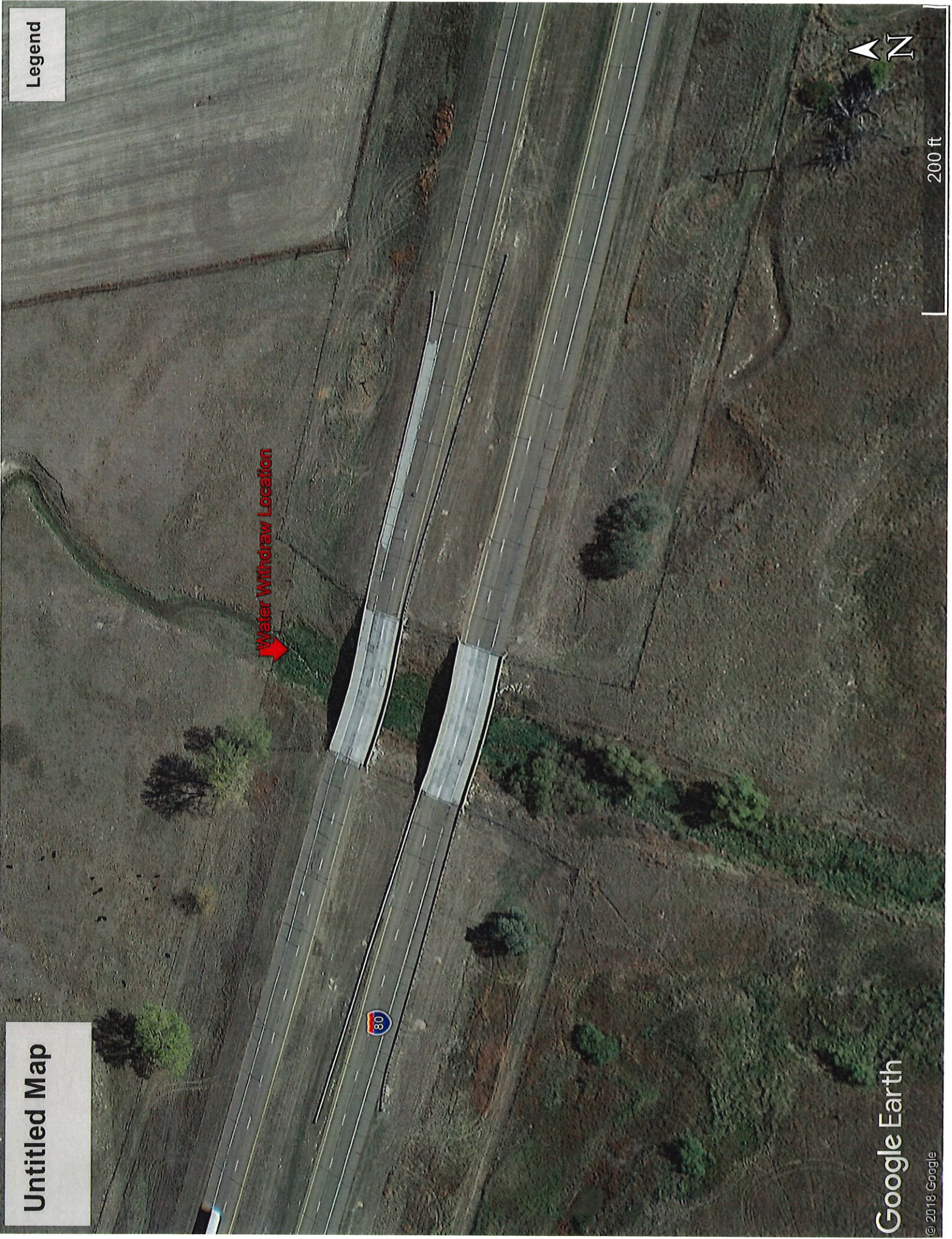
State of Nebraska
 Department of Natural Resources
 301 Centennial Mall South / P.O. Box 94676
 Lincoln, Nebraska 68509-4676
 (402) 471-2363

Nature of Use	Cost	Nature of Use	Cost
Domestic.....	\$10	Manufacturing	
Agricultural		General.....	\$10
Irrigation from Stream		Power Generation for each theoretical 50 horsepower	\$5
0-1,000 acres.....	\$200	Other	\$10
Each additional 1,000 acre unit	\$100		
or portion thereof in excess of the first 1,000 acre unit			
Irrigation from Storage Reservoir			
0-1,000 acres.....	\$50		
or portion thereof in excess of the first 1,000 acre unit			
Each additional 1,000 acre unit.....	\$25		
or portion thereof in excess of the first 1,000 acre unit			



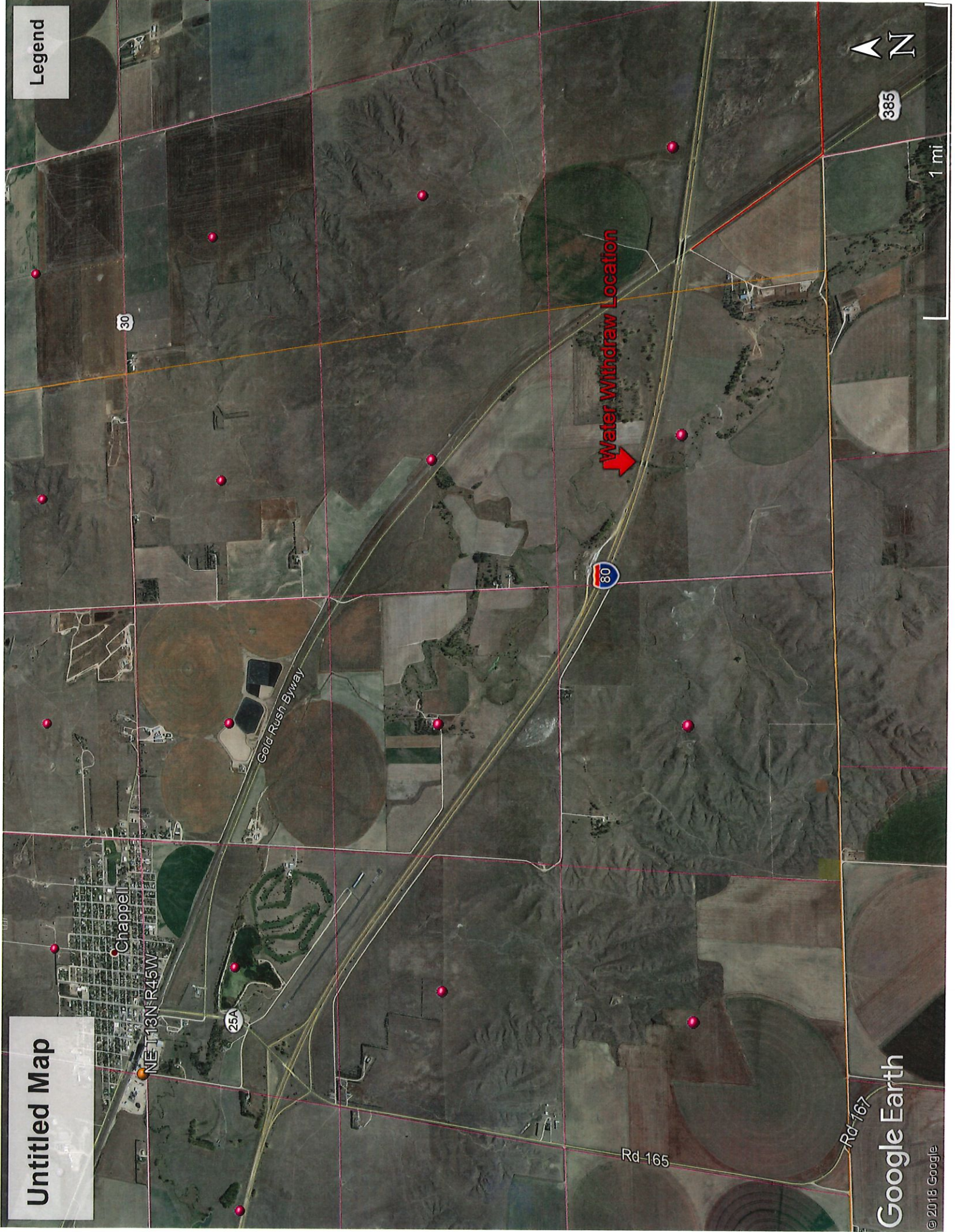
LEGEND
 --- LIMITS OF CONSTRUCTION
 --- WETLANDS - DO NOT DISTURB
 --- TEMPORARILY IMPAIRED WETLANDS

Water Withdrawal Location



Untitled Map

Legend



Google Earth

© 2018 Google

Rd-167

Rd-165

Chappell

30

25A

80

385

1 mi

Water Withdrawal Location