

NeDNR SW-001  
March 2018

**STATE OF NEBRASKA**  
**DEPARTMENT OF NATURAL RESOURCES**

**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 8 : 15 on Sept. 25, 2019  
Modification VAR 7584  
SW Application: \_\_\_\_\_ RightID: \_\_\_\_\_  
Water Division: 1-A  
Receipt Number: A-5232 Amount: \$ 0.00

**1. Name and contact information of petitioner:**

Name: VAL ENERGY INC.

Address 1: 125 N. MARKET STE 1110

Address 2: \_\_\_\_\_

City & State: WICHITA, KS

Zip Code: 67202

Phone Number: (316) 263 - 6688

E-Mail Address: DUSTIN@VALENERGY.COM

Cell Phone: (316) 648 - 2661

**2. Check the situation that applies:**

- ☐ Application already filed. Application Number: \_\_\_\_\_
- ☒ Application not filed. (Enclose copy of proposed application)

**3. Description of proposed project:**

DRILLING OF OIL WELL.

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

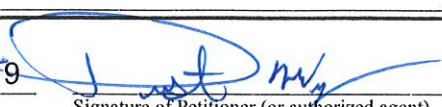
- ☐ 1. The proposed project is for a non-consumptive use. (Attach description of use)
- ☐ 2. The applicant has a credible proposal for replacing any consumptive use that will occur in a manner such that the project will not harm other users. (Attach offset plan)
- ☐ 3. The Applicant has credible information 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:**

Necessity for water to drill proposed oil wells. Less than 2 acre-feet or 600,000 gallons required and to be withdrawn from Oct 3 - Oct 30th.

09/23/2019

Date

  
Signature of Petitioner (or authorized agent)

Dustin Wyer

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

RECEIVED

SEP 25 2019

DEPARTMENT OF  
NATURAL RESOURCES

**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.

VAL ENERGY INC  
125 N. MARKET, STE 1110  
WICHITA, KS 67202

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: DUSTIN@VALENERGY.COM Telephone No. (316) 263-6688

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

VAL ENERGY INC  
125 N. MARKET, STE 1110  
WICHITA, KS 67202

E-mail address: DUSTIN@VALENERGY.COM Telephone No. (316) 263-6688

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\*\* DRILLING OF OIL WELL

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

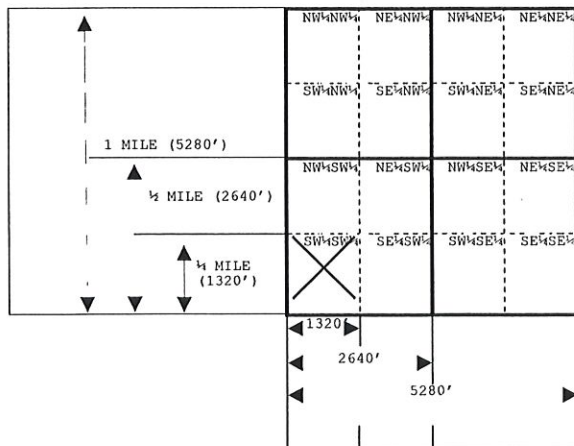
SHEEP'S CREEK

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

TRUCK FROM SOUT C ROAD AT BRIDGE

5. Identify the location of the ☐ Headgate ☐ Pump

Section 23, Township 24 North, Range 58 E ☐ W ☒ County SIOUX



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 maybe granted for a maximum of one year.

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SEP 25 2019

DEPARTMENT OF  
NATURAL RESOURCES

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 50

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

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

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

OCT 3, 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			