

# 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.

### FOR DEPARTMENT USE ONLY

Filed in the office of the Department of Natural Resources  
at \_\_\_\_:\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_  
Modification VAR-\_\_\_\_\_  
SW Application: \_\_\_\_\_ RightID:\_\_\_\_\_  
Water Division: \_\_\_\_\_

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

Name: \_\_\_\_\_  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_  
City & State: \_\_\_\_\_  
Zip Code: \_\_\_\_\_ Phone Number: ( ) \_\_\_\_\_ - \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_ Cell Phone: ( ) \_\_\_\_\_ - \_\_\_\_\_

### 2. Check the situation that applies:

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

### 3. Description of proposed project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date Signature of Petitioner (or authorized agent) 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 and all supplemental documentation to:

**Nebraska Department of Natural Resources**  
245 Fallbrook Blvd., Suite 201  
Lincoln, Nebraska, 68521-6729