



Watershed Capital of Nebraska

“Protecting Lives, Protecting Property, Protecting The Future”

# VARIANCE REQUEST OF THE LOWER BIG BLUE NATURAL RESOURCES DISTRICT GROUNDWATER MANAGEMENT PLAN

805 DORSEY ST

P.O. BOX 826

BEATRICE, NE 68310

PHONE: 402-228-3402

FAX: 402-223-4441

www.lbbnrd.net

NRD USE ONLY		
Date Received: _____	<b>Fee: \$100.00</b>	Paid: ( YES / NO )
Review by NRD Representative _____		
Date Approved _____	by NRD Representative _____	
Date Denied _____	by NRD Representative _____	

### 1. NAME AND ADDRESS OF APPLICANT:

\_\_\_\_\_ Home Phone: (    ) - \_\_\_\_\_ - \_\_\_\_\_  
 \_\_\_\_\_ Cell Phone: (    ) - \_\_\_\_\_ - \_\_\_\_\_  
 \_\_\_\_\_ Landowner Name: \_\_\_\_\_  
 (If other than applicant)

### 2. REASON FOR REQUESTING VARIANCE (Use additional pages if necessary):

A. A citation of the provision in the Lower Big Blue Natural Resources District Groundwater Rules and Regulations for which a variance is requested.

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

B. An explanation as to why the variance is needed including:

I. How you would be affected if the variance is not granted, and

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

II. Alternatives considered, including why each alternative was rejected in lieu of a variance.

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

### 3. LOCATION OF VARIANCE:

A. An aerial photo must be included with this form showing the location of lands and measured distances from the proposed well location to any existing water wells or any non constructed wells with a valid and approved permit that would be affected. The photo must also show the acres currently irrigated or those acres intended to be irrigated by the proposed well or transfer. The destination of a transfer that cannot be indicated on the aerial photo of the source well must be shown on another aerial photo indicating the location and acres to be irrigated.

B. \_\_\_\_\_ County,

\_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ North, Range \_\_\_\_\_ East

The well will be located \_\_\_\_\_ feet from the North/South section line, and will be \_\_\_\_\_ feet from the East/West section line.

C. If water is to be transferred for use outside of the above written legal description, write the location of the source well above. Write the legal description of the destination of the transfer on the lines below.

\_\_\_\_\_ County,

\_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ North, Range \_\_\_\_\_ East

4. **NAMES AND ADDRESSES OF ALL ADJACENT LANDOWNERS** (This includes all landowners within a 6000 foot radius of the principal location for which a variance is being requested.) (Use additional pages if necessary):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

5. **WRITTEN OBJECTION OR WAIVER OF OBJECTION:**

A. A written objection or waiver of objection signed by all adjacent landowner(s) or water well owner(s) that would be directly affected by the granting of a variance must be included along with this form.

6. **WELL PERMIT APPLICATION:**

A. A well permit application shall accompany the request for variance.

7. **APPLICANT SHALL APPEAR BEFORE THE BOARD:**

- A. The applicant applying for a variance or his or her representative shall appear before the Board or a delegate committee to present the reasons for the variance request.
  - I. With prior notification to the District, written testimony may be provided if the applicant cannot be present to meet with the committee.

8. **TERMS AND CONDITIONS:**

This application for variance and the contents required within the application are set forth in accordance with Chapter 6 of the Lower Big Blue Natural Resources District Groundwater Management Plan approved March 27, 2014. The applicant is responsible for the knowledge of such rules and regulations governing variances. Rules and Regulations for variances include:

- 1. An applicant may submit any other information he/she shall deem relevant.
- 2. An applicant must also submit any other information deemed necessary by the District.
- 3. A \$100.00 non refundable application fee payable to the Lower Big Blue Natural Resources District will accompany this form when submitted. This fee does not include the well permit fee.
- 4. Upon receipt of the application, the District or a committee which has been delegated authority by the Board to approve or deny a variance shall have 60 days to approve or deny the variance.
- 5. All variance requests must be approved by the Board, unless approval authority has been delegated to a committee by the Board.
- 6. When issuing a variance, the District or committee which has been delegated authority by the Board to approve or deny a variance, may include specific conditions which will be required as part of the permitting or drilling process.
- 7. Any variance granted under Rule 6.1(LBBNRD GWMP) will be valid for a period of not more than 180 days from its date of approval. This rule supersedes the one year construction period as set forth in Chapter 5.13 (LBBNRD GWMP).
- 8. Requests for variances shall be considered by the Board on a case by case basis.
- 9. Grantee must agree to conditions for granting a variance – If a variance is granted, the grantee may be required to sign an affidavit agreeing to all terms and conditions of the variance.
  - A. The affidavit will be recorded with the Register of Deeds by the District.
  - B. The recorded affidavit will be attached to all properties affected by the variance.

10. **I certify that I am familiar with the information contained in this application, and it's restriction, rules and regulations that to the best of my knowledge and belief such information is true, complete, and accurate.**

APPLICANT SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_