

# EXPLANATION FOR REQUEST FOR VARIANCE

of the Rules and Regulations of the  
Middle Republican Natural Resources District  
GROUND WATER MANAGEMENT AREA

## VARIANCE

Date received: 12-12-17

Request #: 18RW-VAR-2

For District use only

Name C&D Cappel Family Farm LLC

Address PO Box 647

City, State, Zip McCook Ne. 69001

Phone 308 350 1455

I hereby request a variance of Rule Number 4-1

Reason for requesting variance:

We would like to close off 9 non use irr. Wells Sec 20-3-30 and 21-3-30 and drill a new well in Sec 7-3-29. There will not be any acres reassigned just a new well because of declining well capacity to maintain proper pressure on subsurface irrigation and or pivot. we would like a small well to bring water back up to what we had 4 or 5 years ago. we will locate new well north and east away from existing wells

Adjacent Landowners:

CLAUDE L CAPPEL

Print Name

Claude L Cappel

Signature

12-11-2017

date

You are encouraged to attach any relevant information or maps to this request.

XX

**Application for VARIANCE REQUEST within the  
MIDDLE REPUBLICAN NATURAL RESOURCES DISTRICT**

**1. NAME AND ADDRESS OF APPLICANT:**

Name C&D Cappel Family Farm LLC  
Address PO Box 647  
City: McCook State: NE Zip: 69001  
Phone #: (308) 345-5569 Cell #: (308) 350-1455

(Additional property owner names & addresses may be attached)

**NRD USE ONLY:**

Date received: 12-12-17  
Variance #: 18RW-VAR-2  
Comm Staff approved or denied?  
Hearing requested? Yes No

APPLICANT MUST PROVIDE MAPS CLEARLY SHOWING THE **SOURCE AND DESTINATION** OF ACRES BEING REASSIGNED  
AND ANY OTHER CERTIFIED ACRES, OPERATED BY THE PRINCIPALS, IN THE IMMEDIATE AREA.

**2. IDENTIFY THE SOURCE OF THE CERTIFIED ACRES:**

Section 20, Township 30 North, Range 3 West  
County Red Willow County Parcel #: \_\_\_\_\_  
(Additional Parcel #s may be attached)  
G-07339 E-F  
G-04811 F-2  
Well Reg #: G-07344 Will operation of this well be discontinued? YES NO  
G-063399

**NRD USE ONLY:**

Legal Owner(s) of Parcel(s)  
indicated:

**HISTORY OF USE:**

Number of Acres Irrigated: 0 2017, 0 2016, 0 2015, 0 2014, 0 2013

Inches Used: - 2017, - 2016, - 2015, - 2014, - 2013

- \* Is there a SURFACE WATER CONTRACT on this parcel? YES NO  
Is water delivered to this parcel? YES NO  
If yes, history of delivery: (acre inches) 0 2017, 0 2016, 0 2015, 0 2014, 0 2013
- \* Is there a renter or tenant on this property? YES NO  
If yes, has this person been notified of your intent to reassign certified irrigated acres? YES NO
- \* Is the destination of the acres being moved still located on a parcel you own? YES NO  
If no, the owner of the parcel must provide a written statement acknowledging that occupation tax will be charged on their parcel and an agreement needs to be provided to the MRNRD showing the terms of who will retain the rights of such certified acres.
- \* Is/are there (a) mortgage(s), deed(s) of trust, or other consensual lien(s) filed of record on this parcel? YES NO  
If yes, identify the name(s) and address(es) of all lien holder(s) of record:  
Has/have the lien holder(s) been notified of the proposed reassignment application? YES NO

Attach a written consent executed by the lien holder(s) of the record.

Applicant acknowledges and agrees that if it is subsequently determined that an existing consensual lien holder of record has failed to consent in writing to the proposed reassignment, Middle Republican NRD reserves the right to revoke the reassignment of the certified acres to the destination parcel(s) identified in Section 3 of this Application.

I/we certify that I/we am/are familiar with the information contained in this application; that to the best of my/our knowledge and belief, such information is true, complete, and accurate; and that the undersigned constitute all of the owners of record of the real estate identified in Section 2 of this application.

DATE: 12-11-2017

DATE: \_\_\_\_\_

C&D Cappel Family Farms LLC  
Signature of Owner  
Aleores Cappel  
Signature of Owner

3. IDENTIFY THE DESTINATION FOR CERTIFIED ACRES:

Section 7, Township 29 North, Range 3 West

County Red Willow County Parcel #: \_\_\_\_\_

(Additional Parcel #s may be attached)

Well Reg #: \_\_\_\_\_

4.

\* Are there other certified acres in this parcel? YES NO

If yes, provide legal description of all other certified acres in parcel:

\_\_\_\_\_ ¼ of the \_\_\_\_\_ ¼ of Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ West

\_\_\_\_\_ ¼ of the \_\_\_\_\_ ¼ of Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ West

\_\_\_\_\_ ¼ of the \_\_\_\_\_ ¼ of Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ West

\* Is a well being transferred with these acres? YES NO

\* Is there a SURFACE WATER CONTRACT on this parcel? YES NO

\* Is water delivered to this parcel? YES NO

I/we certify that I/we am/are familiar with the information contained in this application; that to the best of my/our knowledge and belief, such information is true, complete, and accurate; and that the undersigned constitute all of the owners of record of the real estate identified in Section 3 of this application.

DATE: 12-11-2017

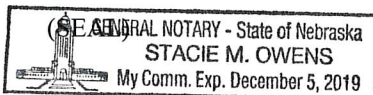
Delores Cappel  
Signature of Applicant

STATE OF Nebraska )

) SS

COUNTY OF Frontier )

The foregoing, instrument was acknowledged before me on 12-11-2017, by Delores Cappel (print name).



Stacie M Owens  
Notary Public

5. APPROVAL BY THE MIDDLE REPUBLICAN NATURAL RESOURCES DISTRICT:

Date: 2/13/18

Jack Hunt  
Signature of MRNRD Representative

The terms and conditions of this application are subject to modification or cancellation due to changes in state or federal laws or Middle Republican Natural Resource District regulations.

Application shall be considered incomplete if application is missing required information or signatures.

Forward this application to:

Middle Republican Natural Resources District  
220 Center Avenue  
PO Box 81  
Curtis, NE 69025

Phone: 308-367-4281  
Toll free in NE @ 1-800-873-5613  
FAX: 308-367-4285  
Website: [www.mrnrd.org](http://www.mrnrd.org)

NRD USE ONLY:

CURRENT LOCATION OF ACRES

Current Certified Acres on Parcel NA

Assessed Acres on Parcel NA

Occupation Taxed Acres NA

RRR or Upland? (circle one)

Are acres in a pooling agreement? Yes No

Do these acres have history of use? Yes No

If no, why? \_\_\_\_\_

NEW LOCATION OF ACRES

RRR or Upland? (circle one)

		CURRENT	NEW
Percent Developed	0-10%	_____	_____
	11-20%	_____	<u>X</u>
	21-30%	<u>X</u>	_____
	>31%	_____	_____
Decline Range	<10 ft	_____	_____
	11-15 ft	<u>X</u>	<u>X</u>
	16-20 ft	_____	_____
	>21 ft	_____	_____
Depletion Range	0-11.96	_____	<u>X</u>
	11.97-28.6	_____	_____
	28.7-48.6	_____	_____
	48.7-72.2	<u>X</u>	_____
	72.3-96	_____	_____

Is it within 2 miles of a municipal well? Yes No

STAFF \_\_\_\_\_ APPROVED X DENIED (referred to Committee on 2/1/18)

COMMITTEE X APPROVED \_\_\_\_\_ DENIED (referred to Board on \_\_\_\_\_)

BOARD \_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED

OLD SERVER/FORMS/VARIANCE REQUEST APPLICATION