

LEGISLATIVE BILL 31

Approved by the Governor April 14, 2011

Introduced by Langemeier, 23.

FOR AN ACT relating to water; to amend section 46-240.01, Reissue Revised Statutes of Nebraska; to change provisions relating to supplemental agricultural appropriations; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 46-240.01, Reissue Revised Statutes of Nebraska, is amended to read:

46-240.01 All appropriators of water for agricultural purposes of less than the statutory limit of direct flow from the public waters of this state within the drainage basin of the stream from which such waters originate shall be entitled to such additional appropriation or appropriations from the direct flow of such stream, within the statutory limits provided by law, as may be necessary and required for the production of crops in the practice of good husbandry. ~~To accomplish such purpose, existing agricultural appropriators within the drainage basin having less than the statutory limit of direct flow shall, as a matter of right, be entitled upon application therefor to the approval and grant of such additional supplemental appropriation or appropriations from the direct flow of such stream as will not make the total appropriations, for the lands upon which such water is to be used, exceed the limits provided by law and as may be necessary and required for the production of crops upon such lands with the practice of good husbandry. Applications for such supplemental additional appropriations from the direct flow, upon the approval or granting thereof, shall have priority within the drainage basin as of the date such applications are filed in the office of the department.~~

Sec. 2. Original section 46-240.01, Reissue Revised Statutes of Nebraska, is repealed.