

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 856

Introduced by Wallman, 30; Haar, 21.

Read first time January 13, 2014

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Industrial Ground Water Regulatory Act; to
2 amend section 46-677, Reissue Revised Statutes of
3 Nebraska; to require metering relating to hydraulic
4 fracturing stimulation; and to repeal the original
5 section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-677, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 46-677 (1) Except as provided in sections 46-676.01 and
4 46-678.01:

5 (a) Any person who desires to withdraw and transfer
6 ground water from aquifers located within the State of Nebraska for
7 industrial purposes shall, prior to commencing construction of any
8 water wells, obtain from the director a permit to authorize such
9 withdrawal and transfer of such ground water; ~~and~~

10 (b) Any person who prior to April 23, 1993, has withdrawn
11 ground water from aquifers located in the State of Nebraska for
12 industrial purposes may file an application for a permit to authorize
13 the transfer of such ground water at any time; and -

14 (c) Any person issued a permit to withdraw ground water
15 for hydraulic fracturing stimulation shall install a water meter or
16 meters approved by the department to measure the amount of water used
17 for the stimulation and the amount of fracturing fluid recovered and
18 shall annually report the measurements to the department.

19 (2) For purposes of this section, industrial purposes
20 includes manufacturing, commercial, and power generation uses of
21 water and commercial use includes, but is not limited to, maintenance
22 of the turf of a golf course.

23 Sec. 2. Original section 46-677, Reissue Revised Statutes
24 of Nebraska, is repealed.