

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 800

Introduced by Louden, 49.

Read first time January 10, 2008

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to water; to amend section 46-299, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to intentional underground water storage
4 permittees as prescribed; and to repeal the original
5 section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-299, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 46-299 Any person who has obtained a permit for
4 intentional underground water storage ~~associated with a project not~~
5 ~~existing on August 26, 1983,~~ and recovery of such water, pursuant
6 to section 46-233, 46-240, 46-241, 46-242, or 46-297 may, subject
7 to section 46-2,101, levy a fee or assessment against any person
8 for the right or probable right to withdraw or otherwise use such
9 stored water. Such fee or assessment may be levied against any
10 land in connection with which such underground water storage has
11 occurred or probably will occur, and may be varied based on the
12 degree to which underground water storage has occurred or will
13 occur. No fee or assessment shall represent more than the fair
14 market value of such recharge, except that a fee or assessment may
15 include a sum sufficient to amortize the operation, maintenance,
16 repair, and capital costs of the project, apportioned on the degree
17 to which recharge has occurred or is likely to occur, and on the
18 degree to which any surface water is delivered.

19 Sec. 2. Original section 46-299, Reissue Revised Statutes
20 of Nebraska, is repealed.