



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 798

Chairperson: LeRoy Louden
Committee: Natural Resources
Date of Hearing: February 6, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill is intended to clarify an existing statute regarding an exemption from surface water and groundwater laws for the use of irrigation water reuse pits on the headwaters of natural streams, and to provide a mechanism for the statute to accurately reflect the intent of the scope of the exemption through time.

The bill strikes “headwater segment” and inserts language that is current when describing hydrologic conditions and impacts. The bill describes a portion of a natural stream in which water flows only after a precipitation event or when augmented by surface water runoff caused by the pumping of ground water as an ephemeral natural stream.

The bill allows the Department of Natural Resources to investigate an ephemeral natural stream identified as such on the most recent United States Geological Survey topographic quadrangle map to determine whether such stream is perennial or intermittent subject to permit requirements. If the department determines the natural stream is, in fact, an ephemeral natural stream, the water reuse pit located with such stream is exempt from the permit requirements.

Principal Introducer:

Senator LeRoy J. Louden