

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 184

FINAL READING

Introduced by Louden, 49.

Read first time January 12, 2009

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to water; to amend section 46-226, Reissue
2 Revised Statutes of Nebraska; to authorize the Department
3 of Natural Resources to administer riparian water rights;
4 and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-226, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 46-226 (1) The department shall make proper arrangements
4 for the determination of priorities of right to use the public
5 waters of the state and determine the same. The method of
6 determining the priority and amount of appropriation shall be
7 fixed by the department.

8 (2)(a) The department is authorized to administer any
9 riparian water right that has been validated and recognized in a
10 court order from a court of lawful jurisdiction in the state.

11 (b) The only surface water appropriations that may be
12 closed for a riparian water right are appropriations held by
13 persons who were parties to the lawsuit validating the riparian
14 water right or appropriations with a priority date subsequent to
15 the date of the court order.

16 Sec. 2. Original section 46-226, Reissue Revised Statutes
17 of Nebraska, is repealed.