

ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012
COMMITTEE STATEMENT
LB526

Hearing Date: Wednesday March 02, 2011
Committee On: Natural Resources
Introducer: Carlson
One Liner: Change provisions relating to water transfers

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Carlson, Christensen, Dubas, Haar, Langemeier, McCoy, Schilz, Smith

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Tom Carlson
John Thorburn

Representing:

Introducer
Nebraska Association of Resources Districts; Tri-Basin
Natural Resources District

Opponents:

Jeff Shafer
Ron Wolf

Representing:

Nebraska Public Power District
Nebraska Water Coalition

Neutral:

Don Kraus
Brad Edgerton

Representing:

Central Nebraska Public Power and Irrigation District
Frenchman Cambridge Irrigation District

Summary of purpose and/or changes:

LB 526 was introduced to enable the transfer of the entire amount of a surface water irrigation right for a nonconsumptive use.

Section-by-section description:

Section 1 amends 46-294, relating to water appropriation transfer applications, by adding an exception to the requirement that such transfer will not exceed the historic consumptive use under the appropriation. The rule does not apply to a transfer of the entire surface water irrigation right for a nonconsumptive use.

Section 2 repeals the original section.

Explanation of amendments:

AM 1784 addresses the concern that allowing a transfer that is a change in preference of use or point of diversion would harm surface water appropriators. The amended language would place conditions on such a transfer, including that the

transfer or change in purpose would not diminish the available water supply or otherwise adversely affect another water appropriator or the state's ability to meet compact obligations, or result in administration of the prior appropriation policy.

Chris Langemeier, Chairperson