

March 11, 1980

LB 689

SENATOR KREMER: Senator Vickers, I am a little bit troubled unless we add some additional language to your amendment, and I use for an example that quite a lot of wells are being drilled today in anticipation that there may be a moratorium some time in the future but the wells are not being used for irrigation and, consequently, there is no improvement in the land use whatsoever. The well is drilled, it is capped and it may be used and it may not be used in a year, two years or three years. How about these new wells? Would you leave that to the judgment of the county assessor?

SENATOR VICKERS: How about what? I am sorry. I didn't understand your question.

SENATOR KREMER: Wells are being drilled with the intention of not using them at the present time but they are fearful that a time may come when there will be a limitation or a moratorium on wells. So does that add to the value of the land?

SENATOR VICKERS: In my opinion, it wouldn't until they pumped it but then I don't know how the county assessor...I think my county assessor if I drilled a well whether I ran it or not would assume that I had irrigated farm ground (interruption) anyway because the reason I say that is that in my area at least I think the county assessor knows it before I do practically, and as a practical matter, I think I would have to prove to the county assessor, first of all, that I wasn't going to irrigate. Now I don't know whether that would be any different than building a farrowing house and not buying any hogs or not. I am sure he would take a dim view of that probably but I think the burden would probably be on the landowner to prove to the county assessor he wan't going to use it.

SENATOR KREMER: I guess what I am saying, Senator Vickers, is this, just because there is a hole in the ground does not improve the value of that farm.

SENATOR VICKERS: That is true. I agree with you.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, I think that Senator Vickers' intent and as I understand as it relates to the reporting of improvements does not have anything to do with the value of the well as such but only relates to the capabilities of that piece of ground to produce which would be taken into consideration in valu-