

LEGISLATIVE BILL 94

Approved by the Governor March 21, 1995

Introduced by Bromm, 23

AN ACT relating to irrigation; to amend section 46-261, Reissue Revised Statutes of Nebraska; to change provisions relating to recording gauges; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 46-261, Reissue Revised Statutes of Nebraska, is amended to read:

46-261. The Department of Water Resources may require ~~that by the first day of April in any year~~ an appropriator or his or her agent to furnish the department by April 1 in any year, a list of all lands to be irrigated, the acreage of each tract, and the names of the owners, controllers, or officers for every ditch, reservoir, or other device for appropriating, diverting, carrying, or distributing water to be used as a basis for the distribution of water until ~~the first day of April 1~~ of the following year, and if so ordered such a list shall be furnished by the appropriator or his or her agent to the Department of Water Resources. ~~A recording gauge, of a design to be approved by the department, shall be installed by the owners or controllers in every canal and waste ditch; department. The department may require the owner or controller of any canal or ditch to install an approved recording gauge at one or more specific locations to record the amount of water used. The department shall not furnish any water to be delivered to or used by or through any ditch, reservoir, or other contrivance for the appropriation, use, or storage of water until the provisions of this section have this section has been complied with. The department may construct bars or dams to prevent such delivery or use.~~

Sec. 2. Original section 46-261, Reissue Revised Statutes of Nebraska, is repealed.