

LEGISLATIVE BILL 472

Approved by the Governor March 1, 2001

Introduced by Hudkins, 21

AN ACT relating to ground water; to provide for transfers of ground water and for liability relating to transfers; and to provide for applicability.

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

Section 1. Any person other than a public water supplier as defined in section 46-638 may transfer ground water off the overlying land for the purpose of domestic use of ground water required for human needs as it relates to health, fire control, and sanitation if (1) the location and use of the water well and any pipeline or other means of conveyance are authorized by easement or other adequate property interest on all land on which such water well and pipeline or other means of conveyance are located and (2) the capacity of the water well or series of water wells connected together for such purposes does not exceed fifty gallons per minute. Such person may be liable for damages for interference with the use of ground water by another person only if the withdrawal of ground water for such domestic use unreasonably causes harm to another person through the lowering of the water table or by reducing artesian pressure.

Sec. 2. Section 1 of this act applies to all such transfers and uses of ground water before, on, and after the effective date of this act.