

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB103

Chairperson: Senator Chris Langemeier

Committee: Natural Resources

Date of Hearing: February 23, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 103 removes the ability of a political subdivision to apply or maintain an instream flow right if a basin is already fully or overappropriated.

Currently, the Department of Natural Resources is required to confirm five separate findings in order to grant an instream appropriation. LB 103 will include that an instream appropriation may not be granted in a river basin, subbasin, or reach that has been deemed by the Department to be fully appropriated or overappropriated. This will not prohibit the approval of a proposed transfer or change of a natural-flow appropriation.

Such designations of fully appropriated and overappropriated indicate that there is no water available to appropriate.

Principal Introducer: _____

Senator Ken Schilz

