

# **One Hundred Second Legislature - First Session - 2011**

## **Introducer's Statement of Intent**

### **LB653**

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**Chairperson: Senator Chris Langemeier**

**Committee: Natural Resources**

**Date of Hearing: March 09, 2011**

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

Legislative Bill 653 would amend the definition of "interbasin transfer" in section 46-288 to include interbasin transfers during times of flood, pursuant to a new section within the bill to allow an agreement between applicable districts.

It is the intent and purpose of LB653 to provide tools for prudent management of Nebraska's water resources, specifically, the diversion of unappropriated water during times of flood to mitigate public and private property damage, while also putting such unappropriated water to use in another basin instead of letting it leave the state unused.

Currently, interbasin transfers are legal under Nebraska law through the Department of Natural Resources (DNR) permit process. However, that process is a fairly involved permit process, which makes the likelihood of a basin to basin transfer of unappropriated flood water very unlikely.

It is the intent of LB 653 to provide the authority for Natural Resources Districts (NRDs) and Irrigation Districts along with the Department of Natural Resources to enter into an agreement that sets up guidelines to move water from one basin to another during times of flood.

The agreements between basins would need to be done prior to any diversion of unappropriated flood water. In addition, the basin of destination would be second in time and second in right to all internal water resources projects within the basin of origin. This seeks to prevent any harm to the basin of origin, while lowering the risk of property damage due to flooding.

**Principal Introducer:** \_\_\_\_\_

**Senator Mark Christensen**

