

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 396

Introduced by Erdman, 47; Halloran, 33; Jacobson, 42.

Read first time January 12, 2023

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to natural resources districts; to provide for
- 2 augmentation projects and to require the sale of overlying surface
- 3 interests and the retention of ground water rights as prescribed;
- 4 and to provide a duty for the Revisor of Statutes.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Each natural resources district has the power and
2 authority to develop augmentation projects as described in subdivision
3 (3)(e) of section 46-715 and to acquire real property for such
4 augmentation projects.

5 (2) After an augmentation project has been developed, the natural
6 resources district or districts owning such project shall sell the
7 overlying surface interest but may retain and reserve the right to the
8 ground water located beneath such land.

9 (3) The owner or owners of the augmentation project are entitled to
10 the reasonable and beneficial use of ground water to which such right was
11 retained and reserved pursuant to subsection (2) of this section. The
12 quantity of such ground water available to the augmentation project shall
13 be the same as if the overlying surface interest had been retained by the
14 owner or owners of the augmentation project.

15 Sec. 2. The Revisor of Statutes shall assign section 1 of this act
16 within Chapter 2, article 32.