

April 2, 1980

LB 643

SPEAKER MARVEL: Okay, Senator Sieck.

SENATOR SIECK: Yes, Mr. President, members of the body, there are five sections in this bill. The first one is the illegal permits. This came about because the individual irrigators out there were not aware that there was a permit required before they started digging their well. All the other factors as far as the regulations of spacing and that portion of it was done. Now we have about twenty wells out there that are illegal because of this faction and we are correcting this. All the other regulations by the control area have to be met before this well will be declared legal. What this bill does is correct that portion of it. The individual will have to pay a two hundred and fifty dollar penalty for late permit. Then the NRD will go out there and check whether all the other requirements are met and will send and ask for a permit from the Department of Water Resources and the permit will then be granted. Another section is to correct the time the well starts digging, the definition of a well. There seemed to be some confusion in this area so this was done. Another section is if an individual's well goes bad and during the irrigation season and it is necessary for him to dig another well, this will allow that individual to dig a well within a certain amount of feet within a given area and without a permit, and then within a short period of time...he doesn't need a permit if he digs it within a certain feet. If he digs it further than that, then he will have to get a permit for the new well but it doesn't require it at the present time. So it doesn't jeopardize his operation, in other words. If he wants to start digging a well because a well went bad, he can do this and the late penalty doesn't factor in. Another definition is what size well could it be. It is compared on the column size of the well. In other words, it isn't the capacity but if the well is dug the same column size, then a permit isn't required. And the last section is where you cannot transport water from one area to another and this is the area that I am willing to take off and I will do this on Select File. Are there any questions? I move the advancement of the bill.

SPEAKER MARVEL: Okay, the motion is the advancement of 643 to E & R for review. Senator Kremer.

SENATOR KREMER: Mr. Chairman and members of the body, I am willing to vote to advance the bill as originally drawn. However, when it gets to Select File, I am telling Senator