

LEGISLATIVE BILL 102

Approved by the Governor February 15, 2013

Introduced by Watermeier, 1.

FOR AN ACT relating to water law; to amend sections 46-297 and 46-637, Reissue Revised Statutes of Nebraska; to remove the social security number requirement from certain water applications; and to repeal the original sections.

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

Section 1. Section 46-297, Reissue Revised Statutes of Nebraska, is amended to read:

46-297 Any person who has an approved, unperfected appropriation pursuant to Chapter 46, article 2, may apply to the department for a modification of such permit to include intentional underground water storage associated with the appropriation. The application shall be made on a form prescribed and furnished by the department without cost to the applicant. ~~If the applicant is an individual, the application for a permit shall include the applicant's social security number.~~ Upon receipt of such an application, the department shall proceed in accordance with rules and regulations adopted and promulgated by the department, subject to section 46-226.02.

Sec. 2. Section 46-637, Reissue Revised Statutes of Nebraska, is amended to read:

46-637 The use of water described in section 46-636 may only be made after securing a permit from the Department of Natural Resources for such use. ~~If the applicant is an individual, the application for a permit shall include the applicant's social security number.~~ In approving or disapproving applications for such permits, the Director of Natural Resources shall take into account the effect that such pumping may have on the amount of water in the stream and its ability to meet the requirements of appropriators from the stream. This section does not apply to (1) water wells located within fifty feet of the bank of a channel of any natural stream which were in existence on July 1, 2000, and (2) replacement water wells as defined in section 46-602 that are located within fifty feet of the banks of a channel of a stream if the water wells being replaced were originally constructed prior to July 1, 2000, and were located within fifty feet of the bank of a channel of any natural stream.

Sec. 3. Original sections 46-297 and 46-637, Reissue Revised Statutes of Nebraska, are repealed.