



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 438

Chairperson: Chris Langemeier
Committee: Natural Resources
Date of Hearing: February 5, 2009

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

Nebraska Revised Statute §46-2,115 requires the Department of Natural Resources to confirm five separate findings in order to grant an instream appropriation. LB 438 will include the additional finding that an instream appropriation may not be granted in a river basin, subbasin, or reach that has been determined by the Department to be fully appropriated or overappropriated.

This is consistent with the designation of fully appropriated and over appropriated given that such determinations indicate that there is no water available to appropriate.

Principal Introducer:

Senator Deb Fischer