

ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012
COMMITTEE STATEMENT
LB653

Hearing Date: Wednesday March 09, 2011
Committee On: Natural Resources
Introducer: Christensen
One Liner: Provide for interbasin transfers during times of flooding as prescribed

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

| | | |
|----------------------------|---|---|
| Aye: | 7 | Senators Carlson, Christensen, Haar, Langemeier, McCoy, Schilz, Smith |
| Nay: | 1 | Senator Dubas |
| Absent: | | |
| Present Not Voting: | | |

Proponents:

Senator Mark Christensen
Mike Dobesh
Don Adams
Mike Clements
Jasper Fanning

Representing:

Introducer
Self
Nebraskans First
Lower Republican Natural Resources District
Upper Republican Natural Resources District

Opponents:

Dean Edson

Representing:

Nebraska Association of Resources Districts; Twin Platte Natural Resources District; Central Platte Natural Resources District

Neutral:

Brian Barels

Representing:

Nebraska Public Power District

Summary of purpose and/or changes:

LB 653 would allow diversions and transportation of water from one river basin to another for storage or beneficial use during times of flood pursuant to agreements between applicable natural resources districts.

Explanation of amendments:

AM 1844 replaces the language of the original bill. The new sections of LB 653 would do the following:

Section 1 amends 46-288, which provides definitions pursuant to interbasin transfers, by adding that the definitions apply to the new language in section 2.

Section 2 creates new language that would:

* state legislative findings that for best water resources management, interbasin transfers of unappropriated surface water from one basin to another should be allowed without a permit, but pursuant to an agreement between the natural

resources or irrigation districts and the Department of Natural Resources (department);

* allow a natural resources district or irrigation district to enter into a written agreement with the department and a natural resources or irrigation district in an adjacent river basin to allow interbasin transfers of unappropriated surface water without a permit;

* state the purpose of the transfer would be to mitigate public and private property damage, when necessary;

* require that any such agreement:

- be in writing before the transfer;

- state that the destination river basin is inferior in right to all current and future surface water appropriations and internal water resources projects within the basin of origin; and

- include the prearranged purchase price of water, the location of transfer, the conditions under which the transfer can take place, and contain a requirement of notification to the department, affected rural water districts, public power and irrigation districts, or other special purpose districts in both the basin of origin and destination.

Section 3 repeals the original section.

Chris Langemeier, Chairperson