

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 102**

Introduced by Watermeier, 1.

Read first time January 10, 2013

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to water law; to amend sections 46-297 and  
2 46-637, Reissue Revised Statutes of Nebraska; to remove  
3 the social security number requirement from certain water  
4 applications; and to repeal the original sections.  
5 Be it enacted by the people of the State of Nebraska,

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

3           46-297 Any person who has an approved, unperfected  
4 appropriation pursuant to Chapter 46, article 2, may apply to the  
5 department for a modification of such permit to include intentional  
6 underground water storage associated with the appropriation. The  
7 application shall be made on a form prescribed and furnished by the  
8 department without cost to the applicant. ~~If the applicant is an~~  
9 ~~individual, the application for a permit shall include the~~  
10 ~~applicant's social security number.~~ Upon receipt of such an  
11 application, the department shall proceed in accordance with rules  
12 and regulations adopted and promulgated by the department, subject to  
13 section 46-226.02.

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

16           46-637 The use of water described in section 46-636 may  
17 only be made after securing a permit from the Department of Natural  
18 Resources for such use. ~~If the applicant is an individual, the~~  
19 ~~application for a permit shall include the applicant's social~~  
20 ~~security number.~~ In approving or disapproving applications for such  
21 permits, the Director of Natural Resources shall take into account  
22 the effect that such pumping may have on the amount of water in the  
23 stream and its ability to meet the requirements of appropriators from  
24 the stream. This section does not apply to (1) water wells located  
25 within fifty feet of the bank of a channel of any natural stream

1 which were in existence on July 1, 2000, and (2) replacement water  
2 wells as defined in section 46-602 that are located within fifty feet  
3 of the banks of a channel of a stream if the water wells being  
4 replaced were originally constructed prior to July 1, 2000, and were  
5 located within fifty feet of the bank of a channel of any natural  
6 stream.

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