

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1111

Introduced by Christensen, 44.

Read first time January 22, 2014

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Nebraska Ground Water Management and
2 Protection Act; to amend section 46-701, Reissue Revised
3 Statutes of Nebraska; to provide duties for certain
4 natural resources districts relating to integrated
5 management plans as prescribed; to harmonize provisions;
6 and to repeal the original section.

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

1 Section 1. Section 46-701, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 46-701 Sections 46-701 to 46-754 and section 2 of this
4 act shall be known and may be cited as the Nebraska Ground Water
5 Management and Protection Act.

6 Sec. 2. (1) In order to implement its duties and
7 obligations under the Nebraska Ground Water Management and Protection
8 Act, each board of directors of a natural resources district that is
9 part of a river basin for which the district has, in accordance with
10 section 46-715, adopted an integrated management plan which
11 explicitly states the board's intent to utilize qualified projects
12 described in section 2-3226.04 shall, on or before January 1, 2015,
13 amend such integrated management plan to provide procedures to
14 implement and achieve district-wide and basin-wide water
15 sustainability by January 1, 2025. The amended integrated management
16 plan to achieve district-wide and basin-wide water sustainability
17 shall:

18 (a) Include the annual per-acre-inch water sustainability
19 level;

20 (b) Include the annual reduction in base allocation
21 levels divided equally over ten years that will be required to reach
22 water sustainability;

23 (c) Clearly state that for the ensuing ten years, surface
24 water available within the applicable area shall be used for
25 compliance during compact-call years within those ten years;

1 (d) Clearly state that the maximum amount of banked or
2 carry-forward water that a district can allow to be carried forward
3 over the ten years beginning on January 1, 2015, and ending December
4 31, 2024, shall be limited to an amount equal to one year of the base
5 allocation in the district during the 2013 irrigation season;

6 (e) Clearly state that beginning January 1, 2025, all
7 accounts of banked or carry-forward water shall be reduced to an
8 amount equal to one year of a water sustainability allocation for
9 such district and the base allocation shall become the water
10 sustainability level for each district on and after January 1, 2025,
11 by which any new accumulation of banked or carry-forward water may
12 begin with a maximum amount of banked or carry-forward water not
13 exceeding the annual water sustainability level; and

14 (f) Clearly state that the director shall ensure that
15 surface water allocations delivered to the field do not exceed ground
16 water allocations plus any ground water carry-forward allowed by a
17 district to be used in any one year.

18 (2) For the purposes of this section, water
19 sustainability means the maximum annual amount of water per irrigated
20 acre determined and provided by the United States Geological Survey
21 which, if used as a base allocation, would sustain an area's water
22 resource levels in the short-term and the long-term. If such numbers
23 are not available from the United States Geological Survey, such
24 maximum annual amount shall be determined and provided by the
25 Department of Natural Resources for the purposes determining water

1 sustainability.

2 Sec. 3. Original section 46-701, Reissue Revised Statutes

3 of Nebraska, is repealed.