

One Hundred Fourth Legislature - Second Session - 2016

Introducer's Statement of Intent

LB1038

Chairperson: Senator Ken Schilz

Committee: Natural Resources

Date of Hearing: February 10, 2016

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

LB 1038 would allow the owner of a hydropower facility with a water appropriation for the manufacture of power, to willingly transfer the ownership of the water appropriation jointly to the Nebraska Game and Parks Commission and any natural resources district or combination of natural resources districts, and to change the use of that appropriation to maintain streamflow for the conservation of fish, wildlife, recreation and to assist in the implementation of integrated management of ground and surface waters. LB 1038 further provides that such change in use that retains the original priority dates and preference categories of the transferred appropriation to manufacture power, is appropriate in order to preserve and protect the respective positions of all appropriators. LB 1038 requires that any persons with subordination agreements or condemnation awards be allowed to continue to use water at no additional costs and any uses of the appropriation other than for instream purposes, must be made within the scope of an approved integrated management plan and ensure no other existing users are harmed.

Principal Introducer: _____

Senator Al Davis