

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1199**

Introduced by Moser, 22.

Read first time January 16, 2024

Committee:

1 A BILL FOR AN ACT relating to the Department of Natural Resources; to  
2 amend section 46-296, Reissue Revised Statutes of Nebraska; to  
3 repeal certain administrative fees relating to the Department of  
4 Natural Resources; to harmonize provisions; to repeal the original  
5 section; and to outright repeal section 33-105, Reissue Revised  
6 Statutes of Nebraska.

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

1 Section 1. Section 46-296, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 46-296 For purposes of sections ~~33-105~~, 46-202, and 46-295 to  
4 46-2,106, unless the context otherwise requires:

5 (1) Department means the Department of Natural Resources;

6 (2) Director means the Director of Natural Resources;

7 (3) Person means a natural person, partnership, limited liability  
8 company, association, corporation, municipality, or agency or political  
9 subdivision of the state or of the federal government;

10 (4) Underground water storage means the act of storing or recharging  
11 water in underground strata. Such water shall be known as water stored  
12 underground but does not include ground water as defined in section  
13 46-706 which occurs naturally;

14 (5) Intentional underground water storage means underground water  
15 storage which is an intended purpose or result of a water project or use.  
16 Such storage may be accomplished by any lawful means such as injection  
17 wells, infiltration basins, canals, reservoirs, and other reasonable  
18 methods; and

19 (6) Incidental underground water storage means underground water  
20 storage which occurs as an indirect result, rather than an intended or  
21 planned purpose, of a water project or use and includes, but is not  
22 limited to, seepage from reservoirs, canals, and laterals, and deep  
23 percolation from irrigated lands.

24 Sec. 2. Original section 46-296, Reissue Revised Statutes of  
25 Nebraska, is repealed.

26 Sec. 3. The following section is outright repealed: Section 33-105,  
27 Reissue Revised Statutes of Nebraska.