

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 35
FINAL READING

Introduced by Schrock, 38

Read first time January 9, 2003

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to water wells; to amend section 46-656.30,
2 Revised Statutes Supplement, 2002; to change provisions
3 relating to denial of a permit as prescribed; and to
4 repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-656.30, Revised Statutes
2 Supplement, 2002, is amended to read:

3 46-656.30. An application for a permit or late permit
4 for a water well in a management area shall be denied only if the
5 district in which the water well is to be located finds (1) that
6 the location or operation of the proposed water well or other work
7 would conflict with any regulations or controls adopted by the
8 district, (2) that the proposed use would not be a beneficial use
9 of water, ~~for domestic, agricultural, manufacturing, or industrial~~
10 ~~purposes,~~ or (3) in the case of a late permit only, that the
11 applicant did not act in good faith in failing to obtain a timely
12 permit.

13 If the district finds that the application is incomplete
14 or defective, it shall return the application for correction. If
15 the correction is not made within sixty days, the application shall
16 be canceled. All permits shall be issued with or without
17 conditions attached or denied not later than thirty days after
18 receipt by the district of a complete and properly prepared
19 application.

20 A permit issued shall specify all regulations and
21 controls adopted by a district relevant to the construction or
22 utilization of the proposed water well. No refund of any
23 application fees shall be made regardless of whether the permit is
24 issued, canceled, or denied. The district shall transmit one copy
25 of each permit issued to the Director of Natural Resources.

26 Sec. 2. Original section 46-656.30, Revised Statutes
27 Supplement, 2002, is repealed.