

From Dan K. 12/21
BB & AB agree

001.03E If the land currently under appropriation is located in an area determined to be fully or over appropriated and is also irrigated with ground water , the surface water right may be transferred under Section 46-291 if (1) offsets for the use of ground water are provided as certified by the transferee, transferor, natural resources district, or irrigation district, reclamation district, public power and irrigation district, or irrigation or mutual canal company, or 2) notification is provided by the department to the landowner and the natural resources district that ground water cannot be used to irrigate the property from which the transfer will occur unless the natural resources district ~~certifies~~provides documentation that such use is in compliance with the natural resources district rules and regulations and Neb. Rev. Stat. 46-715 and such use would not diminish the water supply available for or otherwise adversely affect any other water appropriator.