

NOTICE TO LANDOWNERS

NEB. REV. STAT. §39-301 provides in part that any person who obstructs a public road by encroaching upon the same with any fence shall upon conviction thereof, be guilty of a Class V misdemeanor and be charged up to \$3.00 per day for every day said obstruction remains after being ordered to remove the same.

Irrigators need to be aware of their duty to control irrigation water. Nebraska law provides that it is a Class V Misdemeanor for any person to injure or obstruct a public road so as to saturate, wash, or impair the maintenance, construction, or pass ability of such public road, or to allow water to accumulate on the roadway or traveled surface of the road.

Furthermore, Nebraska law requires that a sprinkler irrigation system which due to location or design diverts, or is capable of diverting, water onto or across a public road so as to saturate, wash, or impair the maintenance, construction, or pass ability of such public road or allows water to accumulate on the roadway or traveled surface of the public road, shall be equipped with a device which will automatically shut off the end gun of the irrigation system. Any person who fails to comply with this section shall, upon conviction thereof, be guilty of a Class IV misdemeanor. In addition to criminal charges and fines, such persons may also be responsible for paying to the county the actual reasonable costs of repairing the public road thereby damaged.

NEB. REV. STAT. §39-1811 provides in part that it shall be the duty of the landowners to mow all weeds that can be mowed with the ordinary farm mower to the middle of all public roads and drainage ditches running along their lands at least twice each year, namely, before July 15th, for the first time and sometime in August for the second time.