

attention in discussion on issues like this before. What do you mean by potential so the wordage was added saying that providing that there is evidence and there is data and there is other information, whatever it may be, that would qualify the word potential. Section 16, page 9, terms used in the ground water management act and other ground water statutes are defined. In other words the definition of a well under the new proposal is modified to include in addition to domestic wells with the capacity of less than 1000 gallons per minute, all wells, it refers only to those used for domestic purposes. If it's 1,000 gallons or less, it would say that all wells rather than just domestic wells. Going to Section 17, it is a little more lengthy, page 11, the present statutes say a controlled area can be designated if uncontrolled development and utilization of the ground water supply has caused or is likely to cause within the reasonable foreseeable future the existence of an adequate supply or dewatering of the aquifer resulting in quality deterioration. The present law says a natural resource district can request a hearing on whether to designate a control area within its boundaries. Also, the old section says that contiguous area in another NRD can be included in the control area if the other NRDs consent by written agreement. Now the new proposal would say a second factor for establishing a control area would be broadened to include any type of pollution and not only that pollution that may be the result of dewatering or the lowering of the water table but any kind of pollution. A natural resource district could request a hearing to designate a control area in another district. If the requesting district can show the existence or the potential for any . . . any of the factors for which such a control area can be established in the requesting district caused by the use of groundwater in another district. The control area designated by the Director of Water Resources could include any area identified in a published notice, and a notice has to be published. Section 18, page 16, and this is LB 643, a bill introduced by Senator Sieck and heard by the committee and the bill carries this title. It deals with a late permit. Presently the law says that application for wells to be constructed in a control area are filed with the Director of Water Resources and a fee of \$25 is charged to get that permit. Under the proposal applications would first be filed with the Natural Resource District rather than directly to the department. The district would then forward the applications to the director with the district's comments. Now there is a little bit more to that. A person who fails to obtain a permit within two years after a control area is established could apply for a late permit, or he could operate and use the well that he drilled, without the permit, he could file after he has drilled it, it would be called a late permit