

March 31, 1981

LB 56

in this issue brought to us by Senator Cullan through LB 56 as long ago as a year ago when I offered an amendment to this body and then withdrew the amendment and suggested to the Public Works Committee that a study be made as to the use of underground water by the industrial users in the State of Nebraska, and because of that original idea and the study by the Public Works Committee or looking into the situation, Senator Beutler then did have LB 56 drafted and I commend him for that. The problem brought forth by Senator Beutler is one that, as Senator Beutler knows, I am very interested in also but there is a technical problem with what he is attempting to do. There is a big difference that he is not I don't think aware of or at least not bringing that awareness to the body. Under the section that he is attempting to put irrigation in as well as manufacturing, commercial, power generation and so forth, it says that any person who desires to withdraw three thousand or more acre feet of ground water per year from aquifers located within the State of Nebraska for these purposes has to have a permit to get the well and it is also in that section that defines, it says that the definitions found in, or whatever, that section just above it, the definitions found in this Section 46-657 shall be used for this act. The definition of a person in 46-657 is any natural person, partnership, association, corporation, municipality, irrigation district, and any agency or political subdivision of this state. In other words, any individual that irrigates enough land to use over three thousand acre foot of water per year, and I can assure you that wouldn't be in today's operations, that wouldn't be the largest operators in the world, the largest farmers. If you are putting on twenty inches of water a year, I never figured that out but it would be somewhere around 1500 acres probably or a little over. There is a lot of irrigators in the State of Nebraska that irrigate that much. I think what Senator Beutler is attempting to get at, and I certainly agree with him with that, and I will attempt to work with him or any other member of this body. As Senator Cullan mentioned, the people are concerned about the use of underground water in the State of Nebraska. They are concerned about the large corporations coming in, setting up these large, what they term, pivot to pivot operations in the Nebraska sandhills and I share their concerns and I will attempt to work with anybody to alleviate those concerns. But this is not the way to do it. This would, in effect, do away with the responsibilities the Natural Resources Districts have, would put it in the statutes in another form, and would say that everybody, everybody, no matter whether they are causing a problem or not, no matter whether they are irrigating in an area such as around the Holdrege area where the ground water is actually rising