

April 16, 1981

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their reasonable foreseeable future use of water will be protected. Everything I have ever heard discussed on the issue of transbasin diversion has been surplus water. When a basin has surplus water, then it should be conserved and it should be used by potentially another basin, but certainly not water that is essential to agriculture, that is essential to industry, that is essential to municipalities in the contributing basin, and nobody has ever discussed that. And so when I look at this wording, I don't see it as opening the door completely. I think it is wording that needs to be in here. I think we have to at least give the contributing basin at least this kind of protection before we would allow water to leave one basin to another. So I strongly oppose the second portion of Senator Vickers' amendment.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I join Senator Dworak in my opposition to striking that language. I want to call your attention though to several other issues. When we imply or we state as we do in this language that any reasonably foreseeable benefit, we have to assume that there has to be development within a basin. We are not just going to allow water to continue to flow on down the river and out into the ocean. We are going to have to do some development work. That means you are going to have to do some construction and some storage. I would like to point out, very frankly, that I have a bill, LB 527, that deals with that issue directly and it is still languishing in the Public Works Committee. I don't see any support from Senator Beutler to bring the bill out. I would appreciate it very much if that bill had come to the floor. It is a priority bill. It ought to be on the floor along with LB 375 introduced by Senator Kremer and myself. I have stated...I am on record, I have opposed transbasin diversion, but I recognize that the courts are not going to allow us to continue to sit there unless we develop that resource. An undeveloped resource is going to be considered a wasted resource, and I think the courts are going to view it as such. And although Senator Chronister and Senator Dworak and myself would like to see the water run down the Platte, because we think there are some benefits through the underground maybe, or we think there are going to be some benefits for some other purposes by having that water there. We also recognize that it is not going to be allowed to continue to flow out when water deficient areas are suffering. And so I want to say as I said before, better read these lines very carefully because if you don't, they are

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