

as my water, your water, I think it is our water and it is our state. If we are going to set down criteria to be followed I think the criteria should be even, should be uniform. The rules should be the same. The length of the football field the same length on both sides. I don't think that we should make the judgment in this body, good or bad. I think we should put down the rules and then let the Director of the Department of Water Resources and the courts make the judgment based on our rules. Now, the amendment at hand, is true, but change the burden of proof. I would like to read to you a little bit out of the Constitution of the State of Nebraska, Article 14, Section 6, the first sentence says, "The right to divert unappropriated waters of every natural stream for beneficial use shall never be denied except when such denial is demanded by the public interest." The Constitution says that unappropriated waters shall be diverted, shall not be denied, yet the language that we are trying to put in the bill in 252 puts the wording just the other way around. It says that "it shall be denied unless." I think it should be in conformity with the language of the Constitution and I think we should say "it shall not be denied unless". Again, the burden of proof, it is true, is being put on the other foot. One final point. Senator Peterson made the comment that those of us that perhaps are trying to look at transbasin diversion from a different point of view than those that are trying to protect their water, if you want to use that term, should perhaps support more dams to be built. Put more dollars and store and store more water in the State of Nebraska. That is certainly a noble cause. I have always supported that. But what about in sections in the State of Nebraska where we have dams and we don't have enough water to fill up now? The real problem is that water will not run up hill. That is the real problem. The real problem as Senator Kremer pointed out to you is that we do have an abundance of water in the State of Nebraska but it is not spread out very evenly. It is concentrated more in certain areas than others. If there are members of this body that think there are certain areas of the State of Nebraska that are not going to be suffering a severe water shortage. . . .

SPEAKER MARVEL: You have thirty seconds.

SENATOR VICKERS: . . . Thank you Mr. Speaker, in the next few years, then you are just dreaming. Because they are. We are going to be faced with this issue. I think we should face it straight on. I think we should face it