

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, first I'll . . . you have a copy of the amendment on your desk and there is another copy being circulated now which will be on your desk in a few minutes which more or less explains the reasons for the amendment. The amendment merely, if you will turn to your bill book, page 6 of LB 252, you will notice the wording on lines 11-14 is merely moved down to following line 23. Basically the wording is changed slightly but that is basically the change in the bill with this amendment. You will note the wording in lines 11 through 14 which talks about the current beneficial uses and the reasonably foreseeable future beneficial uses shall be considered by the director when considering the denial or the approval of the application. But it doesn't say that these, it doesn't give any real emphasis to those criteria of beneficial uses and reasonably foreseeable beneficial uses. By putting this language down lower in the bill where it says, "The application shall be denied if the benefits from the state granting the application do not outweigh the benefits to the state from denying the application or there are present or foreseeably future beneficial uses for water in the basin of origin." So, what it does is exactly the opposite of what Senator Vickers has been trying to do. It gives the basin of origin slightly more protection than under the present bill. As I mentioned before the reason I voted against this bill when it came out of committee is because I did not believe that it gave the basin of origin very much protection at all, if any. I would read to you a quotation from the high plains study from the Ogallala aquifer, which is being circulated on your desks. In the high plains study of the Ogallala aquifer the subject of the protection of the basin of origin was addressed and a position statement was adopted by resolution number six of the high plains study council. In part, that resolution reads: "The present uses and the prospective future need for beneficial purposes for the foreseeable future in the potential basins of origin of surplus water will be considered as having prior rights to the wars involved." Very simply that is what this amendment is striving to do. We are trying to give the basin of origin some protection. I am not opposed to transbasin diversion. I think transbasin diversion can be good, can be beneficial. But, only after the needs of the basin of origin are met should we consider transbasin diversion. I think that is only logical. It is the only practical way to go. I urge the support of the amendment.