

interconnected, one pool underlying not just one NRD but two NRDs most of the time and oftentimes many of the NRDs, and the fact is that if you stick a straw in one part of that ground water reservoir in one NRD and you stick another straw in it over in a second NRD, you are both sucking water out of the same pool. So it follows that if you put a straw in one NRD and you take water out but you don't put any straws in the second NRD, the first NRD takes all the water. So what we are getting to is basically this. If one NRD resolves that a control area should be set up, that the taking of ground water has to be controlled to the extent that it should be taken only so fast over a period of years such as we have done in the areas marked out in dark on your map, then you can see the potential controversy arising when across the political boundary in the very next NRD, same ground water pool, they refuse to put on controls. So that arguably those who take the responsible action and set up a management area or a control area, you see, Senator Schmit, I am already anticipating the inevitable, those who take the responsible action are, in fact, under the policy we have now going to be punished for that unless they have some mechanism for trying to encourage the adjoining NRD, the adjoining NRD to participate in the control area. So LB 94 does one thing. It says that an NRD which has set up a control area may request the Director of Water Resources to hold a hearing as to whether there should be a control area in the adjoining NRD, in the area of an adjoining NRD that adjoins a control area, and it sets up a mechanism whereby this can be done so that there is cooperation between the NRDs. At this point in time, I can't honestly say that there is a feud in any particular area in the state on this question but I think common sense tells us that the situation will arise inevitably and in the not too distant future. So I am asking you before you have the pressures of your local NRD, or before you have to take sides on a particular issue, to reach a policy decision on the floor of this Legislature that allows for the arbitration of these kinds of disputes and that is basically and simply and the only thing that LB 94 does. Thank you.

SPEAKER MARVEL: The Chair recognizes Senator Kremer.

SENATOR KREMER: Mr. Chairman, members of the Legislature, the records show that I did vote to bring this issue out on the floor and I want to make some comments. The original legislation that set up the control areas, LB 577, had this very provision in the bill. There was intense opposition and the contingent area made the statement it is none of the business of the area that is going under control or going under control. Because of that opposition it was taken out