

SENATOR SCHMIT: I think it is more acceptable, Senator Nichol, because it doesn't take from that Natural Resource District, whatever NRD then that Board of Directors their responsibility. They are notified of it, they can review the information. They can act upon it. But I think I that would be deeply resentful if I were serving on a Natural Resources Board and a neighboring NRD said, "Well, the Lower Platte North have not fulfilled their responsibility. We think they are a bunch of clucks. So would you go ahead and ask for a hearing."

SENATOR NICHOL: Well, would this not also happen if this were law, if I had a problem in my district and your district is next to mine, why would I want to even notify you that I was creating a designated area? What would be the incentive for me to even tell you? While on the other hand, if I was wanting a designated area and it might affect your area, you should be notified so that you can call the meeting rather than me who is wanting to get your water from you anyway, why should I bother, what would be the incentive for me to let you know that I was even getting a designated area?

SENATOR SCHMIT: Well, the purpose of the control area, as I understand it, Senator Nichol, is to, if it is adopted, to be able to adopt rules and regulations governing the withdrawal of ground water. So we will say the Upper Republican has a problem and they want to limit that control and they think that the area in the adjoining area, Middle Republican, should be included also. They ask the Director of Water Resources to declare that also available for a control area. I don't think that is necessary for them to act for the adjoining NRD Board. I think if we are going to do that we have removed the reason for the existing individual boards. I just think...I will tell you very frankly what I think it is. It is an excuse where I can impose my wishes as an NRD or an individual or a board of director on the neighboring NRD Board and certainly I think we have seen in the past where there have been attempts made to declare control areas that have not been upheld by the director. But I think that we have got to understand that these boards of directors we have got to assume are going to act responsibly. If there is a problem in my area, that board will ask for it. I don't think that the contiguous area in another NRD that is under the supervision of another board of directors is going to sit there asleep knowing that they have a problem in that area. If they have a problem, I think they will act upon it.