

April 8, 1982

LB 726

letters I have is a later date. They have had more time to have more consideration of actually how the bill would affect the area and I believe that the fact that the later letter is more in opposition to the bill is indicative of the fact that as more and more is learned about how the bill would operate in the area, would lead to less and less support.

PRESIDENT: The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President and members of the Unicameral, we are debating a very complex issue. It just isn't a yes or no, or a true or false problem. I don't know as much about groundwater or surfacewater as I should know, and so the last time we voted I followed Senator Kremer's advice and vote. But I would like to ask several questions here this afternoon before I make my decision on whether we should kill this bill. I would like to ask Senator Vickers a question if I may. Senator Vickers, what would happen under this bill if I had both groundwater irrigation and subirrigated land, and if a control area was established under the provisions of LB 726 as it now stands? Wouldn't my groundwater irrigation be the first to be controlled or shut off?

SENATOR VICKERS: Under a control area, Senator Hefner, if a control area was established, then obviously the irrigation that was groundwater derived would be the irrigation that would be controlled, yes. As to whether or not your well actually would be controlled as to the amount of water you would pump, I don't know. I don't know what kind of regulations the local people would want to put in. Chances are real good, I would suggest, that probably what they would instigate are some method of perhaps well spacing, something of that nature so that your well could continue to pump, you could continue to irrigate right along side of your wet hay meadow. I would remind you that in the control area that we have had established right now there has been no irrigation wells shut off or shut down. They might have been shut down somewhat but 22 inches per year is not really down very much.

SENATOR HEFNER: Okay. One more question, Senator Vickers. Under 726 who would establish the control area? Would that be the local NRD?

SENATOR VICKERS: The local NRD would apply for the hearing as in any other control area. The Director of the Department of Water Resources would examine the data. The data would

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