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LB 726

have to prove that the use of underground water had, in fact, caused an impact or would cause an impact on the subirrigation if that is what they were applying it for or on. In other words, if it had been because of dry weather or because of surfacewater being down or anything of that nature, a control area would be established, or if it was a perched aquifer, then the Director of the Department of Water Resources through the hydrological data that he has been presented draws the boundaries of the control area.

SENATOR HEFNER: Okay, one more question, Senator Vickers. Don't you feel that when we passed 375 and gave the local NRDs an opportunity to have a management control area, don't you think that we would take care of a lot of these problems this way?

SENATOR VICKERS: The passage of LB 375 gave the option to the Natural Resources Districts any place in the state to have a management area, you are correct. In a management area LB 375 also told them exactly how they allocated the water. They do not have the broad abilities that they do in a control area to allocate it on different methods if they would care to, or different regulations if they would care to, as I was indicating to you earlier. So in response to your first question....

PRESIDENT: Senator Hefner, one minute.

SENATOR VICKERS: ....so the main difference then would be that if they would choose to allocate it on a different formula or a different method than what LB 375 allows in a management area, then they would have to go to the control area route and try to allocate it in that fashion.

SENATOR HEFNER: Okay, thank you, Senator Vickers. I feel that we passed LB 375 a month ago. We debated it many hours and I think we certainly perhaps should give that a chance to work before we pass too many other water bills.

PRESIDENT: The Chair recognizes Senator Beutler. The question has been called for. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Have you all voted? Record the vote. Senator Beutler.

SENATOR BEUTLER: Can we have a Call of the House and a roll call vote?

PRESIDENT: Oh, I suppose we can if you want it. All right.