

the Missouri River, is hereby declared to be subject to appropriation for recovery and beneficial use by public water suppliers and that particular phrase we think is necessary in order to enact the concept that I explained to you earlier. That's the purpose of the amendment. Again, it's to further limit the scope of the bill and I would ask for its adoption.

SPEAKER BAACK: Thank you, Senator Beutler. Discussion of the Beutler amendment, Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. Speaker, members, I rise to support the Beutler amendment although I must admit to you I am a little concerned with the language because I'm not quite sure what this new language does. It does strike the one-mile provision in subsection 3 which I know a number of irrigation groups and constituents of mine have been concerned about because we're not all that sure based on the lack of scientific evidence that harmful effects to the instream flow may be subject to a mile, maybe two miles, but it may also be a half mile or quarter mile, we don't know. It depends on the basin in which the stream runs through. So I appreciate that aspect of it. I have to indicate to you I am a little concerned about the language that Senator Beutler is replacing in subsection 3 but as we debate this further maybe he can explain to us further what this language actually means in relationship to other water users in the State of Nebraska. One point I'd like to make maybe just for the record, I plan to bring an amendment or possibly bring an amendment on Select File if this bill moves today to also incorporate some language that would address conservation of water. One of the big concerns that was expressed in the committee was the fact that you would have a harmful effect on potentially surface or groundwater irrigators in the state to shut them off, but the question was raised, well, what happens to the municipality? Do they get to continue to irrigate or provide water for golf courses and parks and swimming pools at the same time you're shutting off a person's livelihood. So I think it would be relevant to have some form of language in this bill addressing that cities also have conservation measures in place and I understand some cities do, that would address the concerns I think Senator Lamb and Senator Behmit brought up during the hearings. I think that is relevant to discussion because I think in water short years I think it is relevant that everyone share in the conservation of our water and hopefully that will not happen, but we all understand that we go through drought cycles in this state and the fact we are... seems only