

February 12, 1992 LB 49, 269, 306, 312, 434, 435, 560, 643

propose to sign and do sign LB 269, LB 49, LB 312, LB 434, LB 435, LB 560 and LB 643. Next speaker is Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Mr. Speaker and members, I guess I have some questions and I do notice that...Senator Beutler.

SPEAKER BAACK: Senator Beutler, would you respond, please.

SENATOR WEHRBEIN: You've taken out the mile, in a sense, and gone to just to stream flow in this particular case. And I guess my question is and realize that I'm not on Natural Resources Committee so some of this may...

SENATOR BEUTLER: Sure.

SENATOR WEHRBEIN: ...may not sound like, but I was wondering what is the definition of a natural stream? Does that include ordinary creeks as I call them running through most...is that definition that broad that where there are presently water rights?

SENATOR BEUTLER: Yeah. A natural stream, there is a definition and I'm sorry I can't quote it for you, but essentially any situation where there is free flowing surface water, it's a pretty broad definition, would be a natural stream.

SENATOR WEHRBEIN: And so the creeks that are...

SENATOR BEUTLER: And if you look for a guide to those streams that are presently being permitted by the Department of Water Resources, that would give you a framework in which to make a judgement about what is meant by natural stream.

SENATOR WEHRBEIN: So the creeks that are around me and the one I have in particular in mind is being pumped by an SID, that would take precedence under this potential amendment over those that are using the present water rights out for say livestock watering or irrigation? Is that what that is saying?

SENATOR BEUTLER: No, it wouldn't necessarily take precedence. It depends on the situation and I don't know your particular situation. If, for example, no public water supplier has a well in your particular watershed...

SENATOR WEHRBEIN: Is an SID, would that be a public water