

there is subsec...or Section 5, subsection (2), talks a little bit about game and parks and instream appropriation for recreation or fish and wildlife may be obtained by Game and Parks Commission. Could you explain why the addition for recreation or fish and wildlife, and how that changes any instream policy right now with game and parks, or if it does.

SENATOR BEUTLER: Senator, it makes no change whatsoever with regard to the current right of game and parks to request instream appropriations for either recreation or fish and wildlife. They currently have that right to do that. What...what this part of the amendment was structured...restructured to do, at the request of the agricultural communities, was to separate the game and parks instream flow right from the public water suppliers instream flow right. So that it was clear that the public water suppliers could not request, for example, a recreation or a fish and wildlife instream flow right, so that the public water supplier could only apply for an induced, recharged instream flow right. The way the amendment was previously structured, they felt that a public supplier could then come in and do the same thing the game and parks is authorized to do. So they wanted to separate those out, and in order to do that they had to restructure the language. But as far as the rights of game and parks are concerned they are not altered, they are not altered by anything in the bill now that Senator Lamb has attached his amendment. I can't think of anything that would enhance their rights.

SENATOR HILLMAN: Okay, so in other words, you're saying if a city perhaps had a large lake on this side of town and decided they wanted to maintain the level of that lake, they wouldn't be able to do that...

SENATOR BEUTLER: That's right.

SENATOR HILLMAN: ...under public...Okay. And if I understand correctly, parks and recreation, the only way I understood they could do this was to buy water rights. They've done that at Box Butte Lake... or at...yeah, Box Butte Lake, out in western Nebraska. I guess I did not even understand that right now they can request instream flows without the water rights. Would you explain that for me just a little bit more.

SENATOR BEUTLER: Senator, I'm not sure that I can, because I'm