

afterwards, of course, go on and invite questions on the committee amendments. But having said that, the basic bill itself, of course, is Senator Owen Elmer's LB 871. And, Senator, with your permission I'd invite you to introduce to the body your particular part of this bill.

PRESIDENT ROBAK: Senator Elmer.

SENATOR ELMER: Thank you, Madam President and fellow colleagues. This bill will be somewhat of an introduction to you, or most of you, to the questions that we are addressing with integrated water management in LB 108, which will be studied over the summer and brought to you next January. These are some items that need to precede some litigation that's being contemplated by Kansas; it also addresses the problem that we have in appropriations of water when we start talking about integrated water management. Integrated water management, in LB 108, that we will work on and refine, basically, puts into statute something we've never had before. There is nothing but case law when there are conflicts between ground and surface water users. If a conflict arises and a ground water user feels that he has been injured by a surface water user, or vice versa, the only mechanism available is the court system. What we are going to do is put into place a method legally whereby a statutory procedure will be available to people who are water users, if they feel injured, to follow when such an occasion may arise. In the case that we are talking about that primarily affects the Republican River Basin and potentially can be of great consequence to the Republican River Basin, which is really the driving force for entering integrated water management systems at this time, is based on the claim by Kansas water users that Nebraska is using much more water in the Republican River Basin than the compact between Colorado, Kansas and Nebraska calls for. And in this allegation, it is the basic premise that ground water use in the Republican River Basin is extracting much more water from the stream through induced ground water recharge and so forth than is allowed. Kansas has a very strong position in this particular measure in Supreme Court findings in cases prior to this one that is imminent. The first case involved Texas versus New Mexico on contested water use in the Pecos River. Texas claimed New Mexico was using much more water in the Pecos River than that compact between those two states allowed. In these instances, as in many other specialized type cases where judges sitting on a bench have little expertise in an area, a special master is appointed with