

appears very likely, based on the two cases I described to you in my previous conversation, that Nebraska is in a very vulnerable situation and that Kansas very likely, most likely could expect to be found to be correct in their allegations. And following what's happened in the cases in Texas and New Mexico and Kansas versus Colorado, we could expect that the Supreme Court found in favor of Kansas, that we would be required to reduce our water use in the Republican River Basin by approximately 40 percent, 40 percent. And that means economic problems for our agriculture in the Republican River Valley. We need to be able to have in our state policy a method to address this problem from a Nebraskans point of view rather than having edicts and judgments come directly from the Supreme Court that may be very Draconian for us. Therefore, this problem has to be addressed. In order to make our case as strong as possible, we need to be able to gather that data from the wells that are being used in the Republican River Basin, which can be most accurately done with metering. This does not restrict anybody's water use, it only allows us to discover how much that water use is and to be able to go before a court with strong, reliable, verifiable data on water use rather than extrapolated figures merely based on the number of wells that are out there, whether they're being used or not. Therefore, I urge you strongly to allow us to begin this process by putting the metering capability into the NRD law. As far as the instream flow or out of stream flow, it makes only good sense that we address our entire water resource as a unit. And I feel that's a very strong argument and I'm sure you all will agree. I don't think that there's any more explanation needed on my part as far as what we do here. I think Senator Beutler...did...Senator Beutler, I have a question.

SENATOR HALL: Senator Beutler, would you respond?

SENATOR ELMER: Senator Beutler, did you address the section on the affidavits?

SENATOR BEUTLER: I did, but just briefly. You may want to do more.

SENATOR ELMER: No, I don't think so. That's...

SENATOR BEUTLER: I was cut short on time. Feel free to.

SENATOR ELMER: The affidavit question, I think, is something