

use occurs and by that time there is no way or mechanism for adjusting nor is there any mechanism for adjusting as between years, that is in some years Kansas may get more water than they're entitled to. There is nothing in the compact that makes any differentiation from one year to the next. I don't know what kinds of things they're thinking of, Senator, but those timing items, the manner of calculation, the timing of calculation of water allocations, those are things they're looking at.

SENATOR DIERKS: What, in our agreement today, what is the agreement that we've reached with Kansas as far as the amount of acre feet of water that they're supposed to receive annually from Nebraska? Do you know that?

SENATOR BEUTLER: Senator, I didn't give you all of Article III, but...and it's not going to be, I guess it wouldn't be set forth exactly here, at least you couldn't tell. No, I can't quote that for you but I'll get that for you if you're interested.

SENATOR DIERKS: No, I just wondered if...the point I was going to get to was are we remiss, do they not get this number of acre feet? Is this one of the problems with the impracticability of management? What's the reason that...oh, Senator Elmer, evidently Senator Elmer might have an answer for me, Madam President, if I could speak with Senator Elmer.

PRESIDENT ROBAK: Senator Elmer.

SENATOR DIERKS: Would you like to answer that, Senator Elmer?

SENATOR ELMER: Certainly, Senator Dierks. As closely as I can from the information that has been given to me by the various water experts and the Natural Resources Districts and Department of Water Resources, the division of water from the...as described in the compact is approximately 10 percent to Colorado, 40 percent to Kansas and 50 percent to Nebraska and because of the high volume of irrigation that has been done out of the Republican River basin, Kansas claims through interpolation and estimation how much water were being pumped and we have no way to know for sure how much that is because we have not metered nor tried to put together the amount of water that that has. And because of that they claim that we have not been delivering to Kansas their 40 percent of the allocation of the virgin water supply in the basin and we, as Nebraskans, feel