

right, which has the effect of guarding and protecting investment, the investments of those who have the use of the water. That is what the agricultural community decided was the appropriate philosophy for surface water. Then in the sixties and seventies, with the advent of larger pumps and the technology of the center pivot irrigation system, we began to learn to take water out of the ground in massive amounts. But the Legislature never changed the constitution and our statutes were never developed like they were with surface water, and the principle that took over and governed our ground water was a very different principle from that of first in time, first in right. It was the principle of correlative rights, which means that in times of shortage all share equally. No one person is cut off in the order that they acquired the right, but rather all share equally. And along with all of that legal development, it was also true that our science continued to develop. And up until the 1970's, there were very few people in this state who would have argued that ground water and surface water were interrelated, and it was at that point in time that studies started to be done that made it clearer, and clearer, and clearer that many places in the state it is interrelated. Sometimes the surface water flows under the river floor and the sides the river into the ground water reservoir, sometimes it's the opposite. The precipitation fed, saturated ground becomes too heavily laden with water and it seeps underground into the riverbeds and feeds the river streams. That we know is true. And today that's one argument you never hear anymore, that they aren't related. We all know that they are related. And so we're at the next question. Now that we know they're related, how do we adjust our legal system in a reasonable fashion to allow people in conflict, states in conflict, states in conflict with the federal government to deal with this scientific fact that we know to be true? And that brings us back to this bill. That's what this bill is doing. How does it do it? I want to emphasize that the Governor's Water Council took the most conservative approach on how to build on Nebraska's water system. It did not go to California and take their law, or Texas, or some other state. It did not build upon the state-centered and state-controlled conjunctive use systems of other states. What it did was to go back to the NRD system, with which we are so pleased, I think: almost unanimously. Despite little failures here and there, overall it's been a tremendous success, and it's oriented towards local control. And over the years, since the Ground Water Management Act was