

those two states along with Kansas, and we have conflicts with them that we're trying to work out. And if solutions are agreed upon between Colorado and Nebraska, or between Wyoming or Nebraska, or between Kansas and Nebraska, it may be necessary to implement solutions, and we'll talk more about this later, that involve management of ground water for the purpose of protecting surface water flows across state borders in a number of places. And if you end this bill simply because Kansas files a lawsuit in the south, we still got to deal with Wyoming, and we still have to deal with Colorado. Beyond that and just looking at the Kansas situation alone, I'm hopeful that, if we pass this bill, they will not file a lawsuit and they will sit down and work with us so that both states avoid the enormous impact of attorneys' fees that apply to these long and tedious and expensive disputes. But even if Kansas is not rational and files a lawsuit, it still will be necessary, one way or another, unless we're totally in the right in this lawsuit, it may well be necessary to make adjustments to the way that we manage things in this state. There are a number of ways this can come about, but the federal people who will dictate the solution...

SENATOR CROSBY: One minute.

SENATOR BEUTLER: ...in a lawsuit, if we do not have a mechanism in place whereby we can adjust our management, may well say to us you pay money damages, you pay millions in money damages, and you pay it every year until you get your management in order so that the appropriate amount of water is coming over the border. And they also could do such a thing as appoint a river master, a federal person to oversee the flows of the river and to make annual adjustments and to award annual money damages in cases where we don't send enough water down the river. The point is we should try to make any adjustments we have to make in the method...with the methodology and in the way that we want to make them, with a maximum of local control, rather than...

SENATOR CROSBY: Time. Thank you, Senator Beutler. On the Brashear amendment, Senator McKenzie is next, followed by Elmer, Preister, Bromm, Dierks, Bohlke, Hillman, Bernard-Stevens and Klein. Senator McKenzie, on the Brashear amendment.

SENATOR MCKENZIE: Madam President, I'd like to yield my time to Senator Beutler.