

empowered the NRDs to effectuate any sort of solution for our surface water problem. If they attempted to they'd be sued and they'd lose; they have no authority. And so I hope you can see that before suit, after suit, Kansas, Wyoming, Colorado, between districts within our state, between users within one district, this is a multipurpose bill. To say that it should go out of existence because Kansas files a lawsuit, I think,...

SENATOR CROSBY: One minute.

SENATOR BEUTLER: ...misses a number of the important points. Thank you.

SENATOR CROSBY: Thank you, Senator Beutler. Further discussion on the Brashear amendment? Senator Elmer.

SENATOR ELMER: Thank you, Senator Crosby. As Senator Beutler very rightly described, this piece of legislation has encompassed thousands of people and years of effort, all very good intentioned, toward trying to bring Nebraska into the modern era of water law in our western states. Nebraska is the only western state, other than perhaps Texas, if Texas can be considered western, right across the river from New Orleans and Texarkana and Alexandria, Louisiana, all the rest of the western states do have integrated water management abilities, which I would rather call the plan than conjunctive use, integrated water management. Senator Beutler referred to the historical background of some court cases, and I'm sure that you're all very well aware of what happened between Texas and New Mexico, and Kansas and Colorado. Texas and New Mexico, on the Pecos River, because of extensive ground water development, irrigation pumping, industrial pumping in the alluvial plain of the Pecos River in New Mexico, and the same type of development, along the Arkansas River in Colorado, taking water from the Arkansas River to replenish the aquifer. A good example of integrated water management is a bill that we passed a couple years ago, called induced recharge, which Omaha and Lincoln, as municipalities, are using in the Platte River and have requested appropriations of river water to satisfy the induced recharge. Of course, the recharge means that the aquifer from which they are pumping is being refilled from surface water. The induced means, of course, that since the wells are so constructed so that portions of the wells underlie the riverbed, the water withdrawn from those sections of those wells that underlie lowers the water