

to set up a management area because our law does not recognize legally the connection between surface and ground water, therefore, an integrated water management plan cannot be done legally in our state without this bill.

SENATOR DIERKS: But they can integrate or initiate a ground water quantity plan, right?

SENATOR ELMER: Yes, if it is for the purpose of preserving an aquifer of ground water that affects other ground water users. All the NRDs in the state have submitted water management plans so that if aquifers in their districts start to decline in a similar way, trigger (inaudible) points are reached whereby water management districts, such as the Upper Republican now possess, could be put into effect and would be.

SENATOR DIERKS: Is Nebraska violating the Republican River Compact with Kansas?

SENATOR ELMER: Kansas claims that it has four or five different years; Nebraska acknowledges that perhaps one year it has.

SENATOR DIERKS: Michael Jess said in public that we are not violating the Republican River Compact.

SENATOR ELMER: I believe that he believes that that's the case as in...with our current situation, that's correct.

SENATOR DIERKS: Republican Rivers' a runoff-fed river, is that correct?

SENATOR ELMER: Would you repeat your question, Cap?

SENATOR DIERKS: The Republican River is a runoff-fed river? It's fed by runoff from mountains and other rivers?

SENATOR ELMER: The Republican River does not have a source in the mountains, it has a source in east central Colorado and flows through northwest Kansas. Approximately 40 percent of the basin is in Colorado...or, excuse me, approximately 10 percent of the basin is in Colorado, 40 percent in Kansas, and 50 percent in Nebraska.

SENATOR DIERKS: Okay. Do you have experts down there in that