

water irrigators. It will create and encourage conflicts through the disparity in the equality of the respective water rights held by ground water and surface water irrigators. LB 108 will do that. It will encourage lawsuits. Can there be any question who will prevail in the conflict resolution process? There's no question. Surface water irrigators who want a protected compensable property (inaudible) will prevail. And, in fact, under LB 108, they must prevail. Ground water irrigators, who drive our state's number one industry by irrigating 85 percent of all irrigated acres will lose. Does this make sense for our state? LB 108 is an anti ground water bill in a ground water state. Senator Elmer, would you respond to a question?

SENATOR BERNARD-STEVENS: Senator Elmer, are you in the...he's coming back, Senator Dierks, now.

SENATOR DIERKS: If you would pick up your bill, on page 38, and look at line 13, actually line 11, it talks about...page 38, line 11...

SENATOR ELMER: I have it, Senator Dierks.

SENATOR DIERKS: It talks about, "the department shall, in cooperation with any appropriate state agency and district, conduct or coordinate any necessary studies to determine the cause of such conflicts, disputes, or" noncompliance or "difficulties and the extent of the area affected. Such studies shall be prioritized and completed within a reasonable time following such preliminary determination." How do you respond to that kind of language? I mean, could anything be more general and yet try to be specific?

SENATOR ELMER: There's some words that you read in that aren't there.

SENATOR DIERKS: No, I, "noncompliance" shouldn't have been there.

SENATOR ELMER: Yeah, "noncompliance" isn't there.

SENATOR DIERKS: I wrote that in myself, it should be there.

SENATOR ELMER: How can I address a question that's not in the