

bill when we didn't discuss such a thing?

SENATOR DIERKS: Well, I'm asking you to discuss that particular reading in that particular part of the bill. The rest of it's there. "Noncompliance" should not be there.

SENATOR ELMER: No, it shouldn't.

SENATOR DIERKS: "In cooperation with any appropriate state agency and district," any appropriate state agency and district, "conduct or coordinate any necessary studies to determine the cause of such conflicts". Senator Wehrbein, that ought to ring a bell with you. I mean we're just opening this thing up big time. Let me tell you what legal counsel for the Division of Water Resources in Kansas...

SENATOR ELMER: Senator Dierks, this is, this action is taken only on a request from an NRD to do it.

SENATOR DIERKS: That isn't what it says.

SENATOR ELMER: Well, look at the, right at the top of the subsection. "If, following a request from a district" such "as a result of information", and it goes on then to tell the department what to do.

SENATOR DIERKS: Okay. Senator Wehrbein, this is a quote from a legal counsel with Division of Water Resources of the Kansas Board of Agriculture, in a river system, the way that the surface flow interacts with the alluvial water is often extremely complex and virtually site specific. Although hydrologists and engineers have the technical expertise to understand such relationships, the extensive amount of testing which is necessary on each reach of the river, such as drilling test holes and conducting aquifer tests, is incredibly expensive and to date has not been done on many of the river systems in Kansas. Incredibly expensive.

SENATOR WEHRBEIN: Yes. Well, we've had some of that same experience, I think,...

SENATOR BERNARD-STEVENS: One minute.

SENATOR WEHRBEIN: ...with our lawsuit with Wyoming. And I