

concur, let's even say three NRDs across the areas that are affected would concur and at least to work out something or mediate with Kansas, where are the controls for them to do something, like when the agreements are between states? NRDs could do...you could keep your local issue, certainly, you could restrict ground water pumping or whatever. But if you still have some compacts that's enforced by state law, I don't see where the teeth are. So if we would adopt Senator Dierks' amendment in good faith, I still believe we have to have something that has ultimate control to enforce the compacts between...

SPEAKER WITHEM: Time.

SENATOR WEHRBEIN: ...states, which we don't have.

SPEAKER WITHEM: Senator Beutler.

SENATOR BEUTLER: Senator Withem, members of the Legislature, just by way of a little more background perhaps, please keep in mind that when the Water Council started, the first thing we tried to deal with was do we want a one law fits all kind of situation, and we very rapidly got to the point of saying, well, that's totally impractical because there are different situations in different parts of the state, some of them don't relate at all to other states, some do, some don't relate to other NRDs, some do. The Niobrara flows through three or four NRDs, the Platte flows through five or six NRDs, the Republican through four NRDs. Every situation is different, and so that's how we evolve down into the joint action plan framework and into dividing it out so that, to the extent, the maximum extent that it was practical we left it to the NRD. But it also became very clear that some of the major problems, where states were making agreements with each other and with the federal government, were not, as a practical matter, going to be able to be resolved by the NRDs. First of all, they're agreements between states and between the state and the federal government, not between individual NRDs and the federal government. So that, you know, that gets you into the first massive area of problems. But beyond that, the NRDs in these areas that are affected, they recognize the political impossibility and high degree of difficulty of getting everybody to agree on something that nobody wants to do, nobody wants to curtail or even cause best management practices to send more water to Kansas, none of us