

is...it does lie in below the Merritt Dam. And anyway they got so concerned about it they got the Corps of Engineers and I was called up, about ten days ago, to try to settle something because they got to let the water out, or else they can't run them irrigation wells no more. So that's actually the opposite of what we're talking about in this bill.

SENATOR BEUTLER: Well, this wouldn't have anything to do with Senator Dierks' amendment, but this is a situation, to the extent that these are both man-made irrigation kinds of situations, that your local NRD up there could take a look at if folks were upset about it, either surface water or ground water, going in either direction.

SENATOR JONES: Yes. Well, they're trying to do something about it, but I just wanted to comment on that side of it. And I don't know, I think this bill could open up to a lot of lawsuits over the next few years. And I guess one of the things that I wanted to really bring out on this is the FERC relicensing, that's the Kingsley Dam relicensing, and that hasn't been brought out here yet. And I think this here, they've been spending a lot of money. In fact over the last 11 years they have spent \$20 million to try to get...

SENATOR BERNARD-STEVENS: One minute.

SENATOR JONES: ...that relicensed. And so that's really a concern. And they could be up as high as \$50 million. But one thing I want to bring out I think the LB 108 sets up the mechanism in it as if this FERC relicensing really happened. I think the natural resource districts could shut off pump irrigators to supply it, and that really concerns me down the road. I think we're trying to pass something here that's going to...moving too fast, and I think we should really think about what we're trying to do because complications later. I got a comment from somebody this morning, just in fax, and they said...they said, look again at 108, are we just wrapping up state control of Nebraska water, both above and below ground...

SENATOR BERNARD-STEVENS: Time.

SENATOR JONES: ...in a package that handles...just handing it over to the federal government? Thank you.