

defeat this. Thank you, Madam President.

SENATOR CROSBY: Thank you, Senator Elmer. Senator Beutler on the Dierks amendment.

SENATOR BEUTLER: Senator Crosby, members of the Legislature, this particular amendment would upset the balance of the bill very, very seriously. We've gone along now, there have been 15 amendments filed on this bill. We've accepted five of them, I think one was withdrawn and one was rejected. We've gone through a process of almost three years, by any count two years, of amendments to this. I don't want to appear to be inflexible on this bill, but on the other hand, you have to recognize that it's a situation where Farm Bureau, Nebraska Corn Growers, these different organizations, have been whittling down this bill and whittling down this bill, and they've done a tremendous job of protecting, I think, ground water users' interests, and certainly, the broad rural interests that are out there. One of the very toughest provisions we had to deal with was the question of grandfathering, was the question of how do you treat existing wells as opposed to wells that might be developed in the future, and what do you use as a cut-off date to distinguish the two, in the event that you want to make some kind of distinction? And in the end, the consensus among the rural elements, and this was a question that was, I think I can honestly say, left to the rural elements entirely, to adopt the philosophy that they thought was most appropriate for the rural areas on this particular question. And what they decided to do was the language that appears on page 33, and it says that the district, the NRD, may establish different provisions for water wells constructed before the designation date of the management area for integrated management of ground water and surface water, may. Bottom line is, they've adopted the overall philosophy of the bill, which was to not try to have one plan for all, but allow local communities and local NRDs to establish unique plans for their area, and in that light and supplementing that philosophy, the bill also says, with regard to grandfathering, that they can construct a relationship between ground water users and surface water users, so long as it's within the law, that is appropriate for their particular area. And so, in one area with one plan the...all the parties involved, all the ground water users involved and surface water users involved may want to establish a bit of a different relationship than in some other area of the state. And the