

SENATOR ELMER: Thank you, Madam President. Basically, that's what the bill does at this point. It allows the NRDs to take into consideration ground water effects or surface water use or vice versa, and is the main purpose of the bill. However, we recognize that there are potential conflicts between users outside of our state. Whether they're political or real, it doesn't make any difference, the situation is as it is. And if we have a situation where a state or an entity outside of our state claims that it is being harmed by ground water use in the state of Nebraska and stream flows that are going to that entity; we're talking about Kansas, of course, in the Republican River situation. If Kansas claims that the surface water that's running into Kansas is inadequate because of ground water pumping, whether it's...they're using the water, whether it's something they're going to be using in the future, it makes no difference. The entity that they're going to be claiming is not living up to the compact is not the Upper Republican NRD, not the Middle Republican or Lower Republican NRD. It's the state of Nebraska and the Attorney General is going to be the person that has to answer their claim and, through the Department of Water Resources, defend the state of Nebraska and its water use.

SENATOR DIERKS: Okay, I guess that I still...I still come back to the question that our current law has functioned quite well over the last 20 years and I guess it just doesn't make...

SENATOR ELMER: Three.

SENATOR DIERKS: ..it doesn't make sense to me to consider 108 when we don't really need it. The state of Kansas doesn't care what the NRDs do. The state of Nebraska does. The state of Nebraska has this compact with Kansas. What more do they need? It's successful. I mean, it's useful.

SENATOR ELMER: Okay.

SENATOR DIERKS: It's working well...

SENATOR ELMER: If...

SENATOR DIERKS: ..and I think that most people will admit, I don't think you've admitted that to me yet because I've asked you a number of times, but the Republican River Compact between Kansas and Nebraska does not have anything to do with 108.