

SENATOR ELMER: I'd like to see the results. (Laugh) Senator Dierks, I'm not aware, nor do I have any way to know, what the current stream flow contribution is from ground water-fed springs or surface water runoff.

SENATOR DIERKS: Is there...if every single well in that NRD was shut off, the stream flow of the Republic River would really not be affected in any significant way, would it?

SENATOR ELMER: It would take a considerable amount of time for some of the aquifers that are depleted through natural recharge to regain their recharging ability as far as spring feeding the stream is concerned, a long time.

SENATOR DIERKS: Really, 108 would have little effect on that though, would it?

SENATOR ELMER: (LB) 108 would have little effect if it's put into place now on those areas where aquifers are already depleted 80 to 100 feet from predevelopment times.

SENATOR DIERKS: If...if the NRDs have the power to regulate wells that might be affecting stream flows, this can be done now, right?

SENATOR ELMER: No. NRDs have no power to regulate water for stream flows.

SENATOR DIERKS: We can do that with 32 little words in the legislation. Would you accept that?

SENATOR ELMER: All it would require for the NRDs to have that power is in the section of NRD law to say that they may regulate ground water for the purpose of solving stream water...or no, surface water flows and recognize the relationship legally for the NRDs to do that. However, we have a great many people in the state of Nebraska who are very apprehensive of establishing that legal connection and wish to have in the law many protections against unrestricted regulation, which is why LB 108 has reached the point it has in time lines, hearings, establishing management areas, and if we just simply recognize that the relationship exists, simply give the NRDs the power to regulate where that happens, I think people would be more uncomfortable because they don't have the protections that are