

long would it take us to get through the litigation that would establish the water rights for a surface water user over a ground water user?

SENATOR ELMER: It's speculative on my part, speculative on your part, neither of us can know.

SENATOR DIERKS: But we do know that it would cause more litigation. That's...I think that's written right into the bill. I think that, with all the steps we have to go through for this dispute resolution, that you have to...it would have to involve legal counsel, and the perspective for litigation is just tremendous in this legislation. Wouldn't you agree with that?

SENATOR ELMER: I don't really, no.

SENATOR DIERKS: Well, it looks...you know I've looked at this bill up and down and backward and forward and left and right, from north to south and east and west and I can't see anything in it...

SPEAKER WITHEM: One minute.

SENATOR DIERKS: ..that's necessary for our...for our ground water users. Our NRDs are controlling this ground water use extremely well. They don't need 108. I think that there is some need for some legislation, but LB 108 is not it. I think that if we could go back next year, have the proper kind of hearings, allow everybody their input at the very last moment, because this is a...a tremendously big piece of legislation, and Senator Beutler said this himself, it's one of the biggest pieces of water legislation that we've had. And for us to try to shove it through, based on the opposition that we have out there, seems incomprehensible to me. Thank you.

SPEAKER WITHEM: Thanks, Senator Dierks. Senator Schellpeper, you're recognized to speak.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. I'm going to just talk a little bit about 108, rather than the amendment, because I think cloture's going to be used here pretty quick anyway. I had the chance this last weekend to talk to some more irrigators in my area. I have yet to find one