

this...at this moment. I just wanted to orient you to what all has been happening today. Thank you.

PRESIDENT ROBAK: Thank you, Senator Beutler. Senator McKenzie.

SENATOR MCKENZIE: Thank you, Madam President and members of the body. I want to speak a little bit about Senator Klein's amendment as it was originally LB 1127, which was a bill I introduced this session and that we held in committee as Game and Parks and the coalition negotiated the in-stream flow request. In fact, I had an amendment to Senator Klein's amendment drafted that gets to some of the clarification language that appears to have been necessary in better defining exactly what the statute does allow in terms of the in-stream flow appropriation. There were some differences of opinion between various interest groups about what a minimum is, about whether or not you can request an in-stream flow for a water right that is actually not in existence for a majority of the year, as well as a number of concerns about exemptions. My concern deals specifically with the process that's taking place outside of this body between Game and Parks and the coalition as they have worked to try to find some middle ground. I, too, am frustrated with the process and frustrated, from my perspective, about...about the original request and about some of what's happened since then. However, I'm uncomfortable about introducing or offering the amendment to the amendment because it does not necessarily resolve the issue and it does not include the exemptions which I think are essential. I do want to clarify one statement that was made earlier. The requirements for this appropriation does not interfere with a surface right that's already in existence. So for those municipalities that have a senior water right of some sort, nothing in what happens with Game and Parks application can impact that, nor can it impact other kinds of appropriations and water that's already been appropriated through the NRD or through some other flood control project or as I said a municipal senior water right. So we're talking about water that's perceived to be available in the Platte River, how much water is there, what amount of water ought to be appropriated for recreational use or fish and wildlife and species. As I said, you will note, if you'd like, the amendment is on page 1771 in the Journal. It begins to clarify the section of statute that allows for the in-stream flow appropriations. I stated at the public hearing I did not want to completely take those rights away. I, too,