

than annually based on how much rain falls in the plains or how much snow falls in the mountains. And I think it's a mistake if we start separating ground water users into classes just because one person is lucky enough to have a few days superiority in time because of the date they put their permit...because of the date that's...

PRESIDENT ROBAK: Time.

SENATOR ELMER: ...on their permit.

PRESIDENT ROBAK: Thank you, Senator. Senator Bromm.

SENATOR BROMM: Thank you, Madam President. And I just wanted to make a few comments on the...on the grandfathering issue. In the two or two and a half years that...that these concepts were kicked around and the Water Council and in the Natural Resources Committee, there were varying opinions and I would have to say that the version that came through in the bill, and that version is that each NRD shall have the prerogative of determining whether or not they want to establish different provisions for water wells constructed before a management area is created versus water wells constructed after the creation of the management area. That is a provision that was suggested and supported by most of the, if not all, of the agricultural groups that were represented on the Water Council. I think they felt more comfortable with that version than doing nothing at all or some other version. Some of the other versions were perhaps creating a differentiation between wells that were created or drilled prior to the effective date of this bill or prior to some future calendar date and that sort of thing. It...in the Water Council, a few of the farmers that spoke up said that they would, they would really prefer to just stick with correlative rights. But then when it came to decision-making time it seemed like they preferred this concept. From a policy standpoint, I had great concerns about changing the correlative rights doctrine as it has existed throughout these many years in Nebraska. And I will continue to have those concerns. We have operated on that basis for so many years and if you create a mythical line where we can differentiate in the category of wells gives me some concern. However, I think, I think the people that actually are the irrigation well owners and are involved in the field, feel a little bit more comfortable with this provision. The decision on what they do, I want to