

in the original amendment, that let's see if, in fact, this process is going to work. We have done that before on other issues, and I think it is an important enough issue to many, many people, not just agriculture, but to our state in general, that we see if, in fact, this works. The process is rather lengthy. It requires studies. It requires...or allows, if an NRD chooses not to do a designated management plan that Department of Water Resources could designate that plan. So the amendment says, beginning upon enactment of the bill until January 1 of 1999, this section of LB 108 will apply only in that type of region in the state. Toward the conclusion of the year 1998, we would ask that a report be prepared and presented by any involved natural resource districts in the basin or basins and presented to the Natural Resources Committee with recommendations as to what did and didn't work in that procedure for them. And it would include also other activities that they had involved themselves in. Beginning January 1 of 1999, then the other parts of the state, the other river basins or the rest of the state, those sections would become operative after that date. It gives us a chance to see if, in fact, this section of the law is going to work the way we think it should work. With that, I would yield the rest of the opening to Senator Dierks.

PRESIDENT ROBAK: Senator Dierks, there's six and a half minutes remaining.

SENATOR DIERKS: Thank you, Madam Lieutenant Governor and members of the Legislature. I don't suppose that any of you have any idea how I feel about 108. But I think that what we've done here is something that we can agree somewhat with. My part of the amendment is one that would have been the next amendment up had we come in line. That amendment is one that says, "Neither well registration dates nor appropriation dates shall be a factor in determining whether a management area shall be designated or a joint action plan prepared." This amendment is intended to clarify that controls authorized by this bill are not intended as an indirect means of enforcing a priority system. Surface water rights almost always predate well registration dates. And bringing them within a priority system would place irrigation wells at a distinct disadvantage if a primary reason for establishing a control area is to protect surface water users' prior appropriations. This is inserted into the committee amendments at two different places, one on page 42 and I think again on page 65. You'll notice that on the