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LB 962

SENATOR BEUTLER: ...on the effective date of the act, if there is a legally binding agreement, then anything that is in such a condition is subject to the cooperative agreement,...

SENATOR SCHROCK: That is correct. And...

SENATOR BEUTLER: ...the cooperative agreement.

SENATOR SCHROCK: ...I believe we signed that in 1997. And any new consumptive use beyond that has to be mitigated.

SENATOR BEUTLER: Okay. So then it says, and if prior to such date--that is, the effective date of this act--the department has declared a moratorium on the issuance of any new surface water appropriations in such river basin. Has that fact been accomplished?

SENATOR SCHROCK: You know, sometimes the Central Nebraska Public Power and Irrigation District, that I'm familiar with, they'll have...there will be some small tracts of land that are cancelled, and they'll pick up maybe another tract to replace it. But I don't think they...there's any new consumptive use. In other words, there might be some offsets, but for the most part,...and for the most part, there's not been any new surface water irrigation on the Platte River probably since the Central Nebraska Public Power and Irrigation District was built, back in the late thirties.

SENATOR BEUTLER: I'm just trying to get a sense, Senator, of whether this condition has been completed. The...it says, the department has declared a moratorium on the issuance of new surface water appropriations in such river basin. Has the department done that with regard to the Platte River yet?

SENATOR SCHROCK: I can't answer, Senator Beutler. I'll try and find out the question.

SENATOR BEUTLER: Okay.

SENATOR SCHROCK: I will say this. There is not any significant new surface water acres being irrigated. And I think most of