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FLOOR DEBATE

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LB 962

the districts that have surface water irrigation are not taking on new acres. But I don't know if that's been a department decision or not.

SENATOR BEUTLER: Okay. And the third condition then was that the department has requested of each natural resource district with jurisdiction in the affected area or reach either to close or to continue in effect a previously adopted closure, da-dah, da-dah, da-dah. So it seems like there are three things that the department can do all on its own power--make a request, declare a moratorium on surface water rights. It is intended by this legislation that the department in and of itself would have the power to declare the Platte River west of that particular point an over-appropriated area, right?

SENATOR SCHROCK: That's correct.

SENATOR BEUTLER: And is that provision intended to apply to any other area of the state? It doesn't reply to the Republican Valley, for example?

SENATOR SCHROCK: It does reply to the Republican Valley. But...

SPEAKER BROMM: One minute.

SENATOR SCHROCK: ...LB 962 does not involve the Republican Valley so much, because the framework for what happens there has already been laid out by our settlement with Kansas on that...and Colorado on that lawsuit.

SENATOR BEUTLER: Okay. But could the department declare it over-appropriated for purposes of this act, under this...?

SENATOR SCHROCK: Yes, they could. And I think the...

SENATOR BEUTLER: They could?

SENATOR SCHROCK: ...Republican River...I think the department has already stated that the Republican River is over-appropriated.