

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 2, 2004

LB 962

how does that work?

SENATOR SCHROCK: Well, my good neighbor over here said, which comes first, the chicken or the egg? In this case, I don't think it matters. If it's over-appropriated, then they both have to develop a plan that works. You know you're familiar with a little bill called LB 108, and I commend you for the passage of that bill. I forget what year it was but it's been some time now. It's been long enough, if term limits were in, none of us here in this body would know of LB 108, if they had been implemented earlier, for what that's worth. But the ground water and surface water, they've got to get along. They've got to work together and the old story that a lot of people have told me in the past is, well, ground water development doesn't affect surface water, and surface water doesn't affect ground water. Those days are gone and we don't need a judge to tell us that. We know it and, certainly, all of my friends who have irrigated in the area where the Central Nebraska Public Power and Irrigation District is know that surface water affects ground water and we know that ground water affects surface water. So, hence, we have to have an integrated plan if we're going to manage the resources of the basin. For what it's worth, surface water covers about 15 percent of our irrigated acres; ground water covers about 85 percent of our irrigated acres in this state. So the surface water irrigators are outnumbered. And even on this task force, they built a little gang...they felt like they were being ganged up a little bit by the ground water irrigators. And, all in all, we've all felt we're taking the right step forward with this.

SENATOR BEUTLER: The relationship of surface water to ground water users and as between ground water users in different NRDs, if they don't come to agreement in either place, what's the next step, if they don't come to voluntary agreement?

SENATOR SCHROCK: Well, mediations by this interrelated board that the Governor appoints.

SENATOR BEUTLER: Well, is the...as I was reading the bill, it almost seems like mediation was one step. Then if that didn't work, then you went to the other board.